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## An Ghaoth a Chriofidh an Eorna: The Moral Economy of Ireland's Whiteboys, 1761-1787.

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Bard

*An Ghaoth a Chroifidh an Eorna:*  
The Moral Economy of Ireland's Whiteboys, 1761-1787.



A Senior Project submitted to  
The division of Social Studies at  
Bard College

By

Connor Bartlett McDermott

Annandale-on-Hudson, New York  
1 May 2017



This project is dedicated to the Stephen Dedalus in all our souls.  
May we wake.



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*"But blood for blood, without remorse,  
I took at Oulart Hollow.  
And I've laid my true love's clay-cold corpse  
Where mine full soon must follow.  
Around her grave I've wandered drear,  
Noon, night, and morning early  
With this breaking heart, when e'er I hear,  
The wind that shakes the barley."*





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## Preface

The history of modern Ireland is often told as a story of the sectarian battle between the privileged Protestant class and the dispossessed Catholic multitude. The Protestant religion is associated with English colonial rule which forcibly extracted resources and capital from the oppressed Catholic Irish. One result of English imperialism in Ireland was that Ireland remained a peripheral economy in Europe. The majority of the Irish were agricultural laborers, and the majority of Ireland's produce was agricultural goods. Despite this, many portrayals of the major dramas of the antagonism between Ireland and England are depicted as having played out in the metropolises of Dublin and London. For example, Daniel O'Connell's battle to emancipate the Catholics of Ireland was largely waged in the Halls of Westminster. But it was the support of the masses of agrarian laborers at home which gave him the power necessary to have his voice heard at all by the English government.

I first became interested in those agrarian laborers when I was writing a term paper on *The Liberator*. As anyone who has either read the "Hades" chapter of *Ulysses* or been to Glasnevin Cemetery can tell you, the round tower over O'Connell's grave dominates the geography of that cemetery. But what of the people below? They did not give the thundering speeches which O'Connell issued at his monster meetings, but they did give thundering cheers in approval of the sentiments of liberation and equality which he expounded. It was beyond the scope of that paper to delve into their mindsets, but I became consumed by the question of who those masses were, what they were doing, and why were they doing it. For one thing, these people did not simply follow O'Connell blindly. Even if he was willing to use the threat of potential violence to gain concessions from the English government in Ireland, O'Connell was a pacifist. Yet sometimes his followers took matters into their own hands, and the answer that they were Catholics who wanted justice from their Protestant lords did not seem satisfying.

In researching this problem, I found out that in order to understand the masses which rallied behind O'Connell, I had to first understand the Defenders. The Defenders were a secret agrarian society who formed to protect the Catholic Peasantry from the violence of the Protestant Peep o' Day Boys. They organized themselves into lodges, and in 1798 some of them took part in the Rebellion led by the Society of United Irishmen. But this only led to another problem: in order to understand the Defenders, I first had to understand the prior context of agrarian violence in Ireland. This context is convoluted and opaque, but its very complexity took me satisfactorily outside the realm of sectarianism. To be sure, the labor relations of eighteenth century Ireland were intertwined with the fact that the men of property were almost exclusively Protestants as a result of the Penal Laws and land theft perpetrated against the Catholic Irish by successive invasions during the latter half of the seventeenth century. However, a few Catholics retained some land, and especially in the north there were many Protestant peasants laboring alongside the Catholics. Most importantly, the protests of the masses were not conducted on a sectarian basis, but were rather related to the issue of primary importance for the Irish peasantry: access to the land.

I discovered many difficulties in working with the historical record on peasant movements in eighteenth century Ireland, not least of which was sectarianism itself. The Protestant gentry lived in a constant state of fear that the Catholics over which they ruled would one night rise up and massacre them in their beds. Doubtless, this is why

many landlords in Ireland chose to become absentees. However, even though I have had to rely on their writings, my project is not about the men of power who ruled over Ireland. My project is an attempt at a history from below. From the multitude of agrarian groups who, in some ways, prefigured the Defenders I have chosen the Whiteboys as the group which I feel deserve special attention. Like the Defenders, they were an oath bound secret agrarian society. Like the Defenders, the overwhelming majority of their members were the rural poor. However, the Whiteboys left even less evidence in the historical record concerning the motives behind their actions than the Defenders. They were written about from a confusing spectrum of perspectives, and it is these very difficulties which made them such a fascinating group to study.

## Movements

Defenders: A Catholic secret agrarian society formed in the 1780s. Many Defenders took part in the 1798 uprising, and they won a victory at the Battle of Oulart Hollow.

Hearts of Steel: An agrarian redresser movement which began in 1769. The majority of the Hearts of Steel were Protestants from Ulster.

Liberty Boys: A secret society begun in Dublin around 1763.

Oak Boys: Between 1763 and 1780, the Oak Boys were active across northern Ireland. Their main grievances were job-roads, tithes, and the enclosure of commons.

Rightboys: A secret agrarian society loyal to 'Captain Right' which was similar to the Whiteboys. Their protests lasted from roughly 1785-1788. Unlike the Whiteboys, the Rightboy movement enjoyed the patronage of the gentry.

Whiteboys: A secret agrarian redresser movement concerned primarily with enclosure and the tithes paid in support of the Anglican church. They followed the leadership of a representational woman named 'Sive.' The initial wave of Whiteboy protests lasted from about 1759-1767, and began again in 1769 and then lasted until around 1776. Their actions and methods of redress inspired those of the abovementioned groups; all have been categorized under the heading of 'Whiteboyism.'

## People

Darby Brown: A Whiteboy 'leader' executed in 1762. His dying declaration is one of the only examples we have of a Whiteboy speaking for himself.

James Buxton: A member of the Catholic sub-gentry sympathetic to, but uninvolved with, the Whiteboys. Executed in 1766.

Thomas Campbell: Protestant clergyman from Tyrone. His *Philosophical Survey* contains an attempt to understand the Whiteboy movement as it stood in 1775.

James Farrell: Member of the Catholic middle-class who was dismissive of the Whiteboys. Executed in 1766.

Arthur O'Leary: Catholic reverend who condemned the Whiteboys for their attacks on religious institutions in the 1780s.

Edmond Sheehy: Fr. Sheehy's cousin. He was a member of the Catholic sub-gentry sympathetic to the Whiteboys. Executed in 1766.

Nicholas Sheehy: Catholic priest who supported his parishioners' decisions to resist paying tithes and to level enclosures of commons. Executed as 'the' Whiteboy leader in 1766. His trial is one of the main surviving sources on Whiteboy activity.

Dominick Trant: Protestant landowner from Kerry. His *Considerations* took a notably alarmist view of the persistence of Whiteboyism in 1787.





### Insurrection & Rebellion

*"A baser meaning has been read into these characters the literal sense of which decency can safely scarcely hint." (Finnegans Wake, p. 33, ln. 14-15).*

On 15 March 1766, Father Nicholas Sheehy and Edward Meighan were hanged, drawn, and quartered in Clonmel, County Tipperary. Their heads were placed on spikes outside the Clonmel gaol, where they remained for twenty years as a warning to the local Irish.<sup>1</sup> The executions of Sheehy and Meighan were only the most sensational in a series of trials against men accused of participating in the secret agrarian society known as the Whiteboys. The Whiteboys' protests against the enclosure of commons, tithes paid to support the Anglican church, and middlemen initiated a forty year period of agrarian rioting in rural Ireland which began sometime between 1759 and 1761. It was Sheehy's vocal opposition to these iniquities which resulted in the local authorities' perception of him as the Whiteboys' leader, but the peasantry was animated by its own reasons independent of Sheehy's 'leadership.' For the five years prior to Sheehy's execution, the rural peasantry across Munster had been clandestinely knocking down fences and filling in ditches erected on the commons, razing the tenements of people who took over rack-rented leases, and forcibly inhibiting the collection of tithes by middlemen.

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<sup>1</sup> *The Literary Life and Correspondences of the Countess of Blessington*, compiled by R.R. Madden, M.R.I. A., Accessed 11 February 2017, [https://archive.org/stream/literarylifefand01maddgoog/literarylifefand01maddgoog\\_djvu.txt](https://archive.org/stream/literarylifefand01maddgoog/literarylifefand01maddgoog_djvu.txt), 485.



The government's repression of the Whiteboys did not address the basic concerns of the Irish peasantry. It did, however, leave some of the only evidence of the Whiteboy movement in the form of the dying declarations of Sheehy and his associates and the Whiteboy 'captain' Darby Brown who was executed in 1762. These dying declarations are invaluable for understanding the logic behind the Whiteboys' rural protests.<sup>2</sup> The Whiteboys used secret oaths of solidarity, levelling, and non-payment of tithes to effect a redress of their grievances, and these methods became so popular that the term 'Whiteboyism' was a generic name for agrarian violence in Ireland during the second half of the eighteenth century and remained so up through the first half of the nineteenth century. The popularity of Whiteboyism suggests that it was not just a spontaneous eruption of rural violence.

With the notable exception of Darby Brown, the Whiteboys themselves did not get to leave a record of the logic behind their protests. Instead, all we have to go on is the words of contemporary elites who wrote about them. The dominant view among the Protestant rulers of Ireland in the eighteenth century was that Whiteboyism was either a manifestation of the irrationality of the Catholic peasantry, or a sinister foreign plot to subvert the government in favor of the French or to prepare the way for another Jacobite Rising. The precise reasons for this fundamental misunderstanding between the rulers and the ruled are beyond the scope of my project.<sup>3</sup> Instead, this study focusses

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<sup>2</sup> "Subaltern classes are subject to the initiatives of the dominant class, even when they rebel; they are in a state of anxious defense. Every trace of autonomous initiative is therefore of inestimable value." Antonio Gramsci, *Prison Notebooks*, vol. ii, Joseph A. Buttieg, ed. & trans., (New York: Columbia University Press, 1996), 21. Brown's dying declaration is precisely such a trace.

<sup>3</sup> I am grateful to Professor Moynahan for introducing me to this discourse. For a variety of ways into the contention between an elite minority and the majority over which they rule, and the ways in which this contention developed in Ireland, see the following studies: Paul Bew, *Ireland: Politics of Enmity 1789-2006*, (Oxford: Oxford University Press, 2007). Joseph Coohill, *Ireland: A Short History* (Oxford: Oneworld, 2008). Roy F. Foster, *Modern Ireland*, (London: Penguin Group, 1988). Robert Kee, *The*

on the Whiteboy's version of the story as far as it can be extracted from the difficult to find, let alone interpret, historical record of their protests in eighteenth century Ireland.

The Irish parliament, though nominally independent, was essentially subservient to Westminster. The government in Dublin consisted entirely of Protestant landholders; Catholics did not have the right to sit or to vote, and their property had been expropriated through a series of oppressive laws and conquests during the seventeenth century.<sup>4</sup> The Dublin government was therefore unrepresentative and largely unresponsive to the needs of the majority of the population. Nevertheless, some of the Protestant elites who travelled or lived in the Irish countryside acknowledged that the Whiteboys may have had a rationale of their own. From the accounts of these elites, as well as those who were merely dismissive, this project attempts to reconstruct the logic behind the rural uprisings known as 'Whiteboyism.'

Thomas Campbell's *Philosophical Survey of the South of Ireland* grapples with the problem of the origins of 'Whiteboyism' as understood in 1775. Campbell was a Protestant clergyman from Tyrone who travelled extensively through Ireland. By the time he was writing his *Philosophical Survey*, a proliferation of groups had spread across Ireland such as the Oak Boys, Hearts of Steel, and Rightboys. Each instantiation of Whiteboyism had its own particular methods including houghing,<sup>5</sup> active tillage, levelling, closing church doors, looting, horse theft, and nailing up demands in public

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*Green Flag: A History of Irish Nationalism* (London: Weidenfeld & Nicolson, 1972). Joep Leerson, *Mere Irish & Fíor-Gael* (Cork: Cork University Press, 1996). James Lydon, *The Making of Modern Ireland: From Ancient Times to The Present* (New York: Routledge, 1999). Patricia Palmer, *Language and Conquest in Early Modern Ireland*, (Cambridge: Cambridge University Press, 2001). Edward Raymond Turner, *Ireland and England: In the Past and at Present*, (New York: The Century Co., 1920).

<sup>4</sup> See *Irish Historical Documents: 1172-1922*, E. Curtis & R.B. McDowell, eds., (London: Methuen & Co. Ltd., 1943), 83-86, 128-132, 180-182, 186, & 188-193, for the laws prohibiting Catholics from political participation and property ownership.

<sup>5</sup>Cutting the hamstrings of livestock to prevent their transportation to market.

spaces.<sup>6</sup> Therefore, Campbell uses an analogy with the English Levellers to clarify what it is that this confusing multiplicity of groups are trying to do. According to Campbell, the Levellers were

an exact prototype of the present disturbances in Munster, carried on by the rabble, [who were] originally called *Levellers*, from their levelling of inclosures of commons, but now *White Boys*, from their wearing their shirts over their coats, for the sake of distinction in the night. [In England] it was a rebellion, here it is only a star-light insurrection.<sup>7</sup>

For Campbell, the Levellers were an exact prototype of the Whiteboys because the actions of the two groups are similar, but there is one signal difference between them. In England, the Levellers initiated a rebellion, while all that the Whiteboys have planned is a mere insurrection. Their methods and grievances might be similar, but in Campbell's estimation the aims of the two groups are fundamentally different.

In order to understand the aims of the Whiteboys, we must examine Campbell's distinction between insurrection and rebellion. The Leveller's existed in the context of the English Civil War, which enabled them to attempt a rebellious overthrow of the government.<sup>8</sup> However, what Campbell means by an 'insurrection' needs a precise definition because it is an important term for understanding the Whiteboys. Clearly, an insurrection is more limited than a rebellion. Since Campbell does not give us anything beyond 'starlight' to aid our understanding of the Whiteboy's insurrection in this context, we must turn to more modern thinkers for a working definition of insurrection.

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<sup>6</sup> "Country News," *Finns Leinster Journal 1771-1828*, 15 January 1772, 16 January 1774, accessed 3 January 2017, [http://archive.irishnewsarchive.com.ucd.idm.oclc.org/Olive?APA/IN\\_int.Article.aspx?mode=image&href+FLJ](http://archive.irishnewsarchive.com.ucd.idm.oclc.org/Olive?APA/IN_int.Article.aspx?mode=image&href+FLJ).

<sup>7</sup> Thomas Campbell, *Philosophical Survey of the South of Ireland*, (Cork: University College Cork, CELT, 2014), accessed October 8, 2016, <http://www.ucc.ie/celt/published/E770001-002.html>, 295.

<sup>8</sup> See also: Paul D. Brandes, *The Rhetoric of Revolt*, (Englewood Cliffs: Prentice-Hall, Inc., 1971), 3, and Hannah Arendt, *On Revolution*, (New York: Penguin Books, 2006), 133, for precise definitions of rebellion. I am grateful to Jonathan Repetti for comments on this debate.

One scholar in particular who can help us to clarify the distinction between insurrection and rebellion is the labor historian E.P. Thompson.<sup>9</sup>

In “The Moral Economy of the English Crowd in the Eighteenth Century,” Thompson lays out a cogent argument for using moral economy theory as a way to reconstruct the voices, or at least the mindsets, of movements from below which have been underrepresented in the historical record. Thompson opposes his theory of moral economy to “a spasmodic view of popular history” which claimed that the poor were merely hungry or only reacting to immediate crises.<sup>10</sup> In Thompson’s estimation, an outrage against the local moral economy was a far better bellwether for tumult than the fluctuations of scarcity and famine since a moral economy is constant. Moral economy derives from “a popular consensus as to what were legitimate and what were illegitimate practices [...] grounded upon a consistent traditional view of social norms and obligations, of the proper economic functions of several parties within the community”.<sup>11</sup> Although the moral economy of the crowd is based on traditional perceptions of justice, it also contains a political critique. “While this moral economy cannot be described as “political” in any advanced sense, nevertheless it cannot be described as unpolitical either, since it supposed definite, and passionately held, notions of the common weal”.<sup>12</sup> Since the methods by which the common weal was defended

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<sup>9</sup> Karl Marx discusses how rent leads to agrarian revolution in *The Economic and Philosophic Manuscripts of 1844*, 53-67, but this teleological definition is less helpful for analyzing the Whiteboys than Thompson’s moral economy theory.

<sup>10</sup> Ibid., 76. See also Ranajit Guha, “The Prose of Counter-Insurgency,” in *Selected Subaltern Studies*, Ranajit Guha & Gayatri Chakravorty Spivak, eds., (New York: Oxford University Press, 1988), 46-47, for a similar critique of ‘naturalist’ interpretations of peasant uprisings. In particular, Guha derides the elision of reason: naturalist historiography treats rebellions as reflexive and “insurgency is regarded as *external* to the peasant’s consciousness and Cause is made to stand in as a phantom surrogate for Reason, the logic of that consciousness,” 47.

<sup>11</sup> Ibid., 79.

<sup>12</sup> Ibid.

were more limited than an all-out rebellion, we can call an aggregation of these methods an insurrection.

Despite its limited nature, insurrection is still a paralegal action. According to Thompson, an insurrection comprises “risings of the poor”<sup>13</sup> in defense of what they viewed as their “traditional rights or customs.”<sup>14</sup> The Whiteboy’s moral economy led them to view their actions as justified and legitimate.<sup>15</sup> They were preserving their traditional rights, and not participating in a rebellious overthrowing. These rights were being transgressed by the enclosure of common land resulting from the shift in the Irish economy from domestic subsistence products to export oriented animal products destined for England’s imperial market.<sup>16</sup> They did not intend a rebellion, but the Whiteboys’ insurrection represented a disturbance in the fabric of business as usual in rural Ireland, and was therefore perceived as a challenge to the political establishment.

### Subalternity & Moral Economy

We are actually fortunate that the Whiteboys were perceived as a rebellion by the government of Ireland. The extant writing from eighteenth century Ireland stemmed almost exclusively from the pens and presses of Protestant landowners, which means that the silence of the historical record concerning the vast majority of the population was only broken when the landlords considered the Whiteboys’ insurrection dangerous enough to be worth recording. We do not even know whether the Whiteboys called themselves ‘*Na Buachaillí Bána*,’ Gaelic for The Whiteboys, or if ‘Whiteboys’ was a term

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<sup>13</sup> E.P. Thompson, “The Moral Economy of the English Crowd in the Eighteenth Century,” *Past & Present*, No. 50, (1971): 76-136, 79.

<sup>14</sup> Ibid., 78.

<sup>15</sup> For other ‘legitimate’ uses of para-legal action, see Eric J. Hobsbawm, *Bandits*, (New York, Delacorte Press, 1969).

<sup>16</sup> For the rise of war capitalism in the British empire see Sven Beckert’s *Empire of Cotton; A Global History*, (New York: Vintage Books, 2015).

applied to them by the English speaking authority figures.<sup>17</sup> The Whiteboys consisted primarily of members from the dispossessed Catholic peasantry of rural Ireland. Most of them were likely illiterate, and the vast majority did not speak English as their primary language if at all. It was only when the landlords trod on the moral economy of the Whiteboys that they forced their voices to be heard—either indirectly through the gentry recording their actions, or when they stood trial and died for their crimes. Furthermore, the Whiteboys’ secrecy, and Ireland’s colonial status, suggest that they were a subaltern group who can be interpreted using postcolonialism.<sup>18</sup> This suggestion is reinforced by Ireland’s status as one of England’s first colonies and the fact that it was in many ways the laboratory of English imperial capitalism.<sup>19</sup>

In colonial Ireland, there is an abyssal silence as to what the actual majority of the population were thinking and doing. This difficulty, and the parallel imperial experience in colonial India, indicate subaltern studies as a method of dealing with this recalcitrant historical record.<sup>20</sup> Dipesh Chakrabarty claims that one “cornerstone of imperial ideology for many years [was] subjecthood but not citizenship, as the native was never adequate to the latter” which deprived the native of participation in policy making.<sup>21</sup> This deprivation led to a legal system divorced from the concerns of the

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<sup>17</sup> One thing that we can be certain of is that ‘Whiteboy’ is devoid of the racial connotations which we may place on it in the present day. A religious reading is much more convincing. E.g.: ‘The Devil’s Whiteboys’, meaning Satan’s favoured children. Professor Moynahan suggested this observation.

<sup>18</sup> Tom Dunne uses popular Irish language poetry from the eighteenth century to reconstruct the mindset of the Gaelic elites in “Subaltern Voices? Poetry in Irish, Popular Insurgency and the 1798 Rebellion,” *Eighteenth-Century Life*. Vol. 22 (1998): 31-44, Accessed October 20, 2016.

<sup>19</sup> See also Clare Carroll & Patricia King, eds., *Ireland and Postcolonial Theory*, (Cork: Cork University Press, 2003), *passim*, especially 2, 14, 43-45, & 109-121.

<sup>20</sup> My main departure here is the II, IV, & V sections of Ranajit Guha’s essay “The Prose of Counter-Insurgency”, especially p. 53-59. See also Gramsci, *Prison Notebooks*, vol. ii, p. 21, for the opposition between subalterns and elites.

<sup>21</sup> Dipesh Chakrabarty, “Postcoloniality and the Artifice of History: Who Speaks for “Indian” Pasts?,” (*Representations*, No. 37, 1992), 113. Interestingly, this is one of the cornerstones of the American Revolution: “No taxation without representation.” I am grateful to Connor Boehme for this analog.

majority of the population. It also meant that the Irish Catholic majority's voices were absent from the legal and historical record. One solution to the modern historian's difficulty with working with these texts is to transition from minority history to subaltern past: "you can be a larger group than the dominant one, but your history would still qualify as a 'minor/minority history'."<sup>22</sup> A minority history treats the majority population as non-actors in the drama of history, or treats their story as at best tangential to a greater narrative. In contrast, a subaltern past gives the people whose history is minimally recorded, yet comprise the majority of the population, a venue in which their voices can be heard.<sup>23</sup> To refute settler colonialism, we must attempt to reconstruct subaltern voices on their own terms. Thompson's theory of moral economy is a powerful tool for this project.

### The Wind Below

An attempt to reconstruct the moral economy of Ireland's Whiteboys has not yet been made. In modern scholarship, there have been three main views of the Whiteboys. On closer inspection though, all of them are essentially similar to the narrative of the Whiteboys constructed in Maureen Wall's "The Whiteboys," published in 1973.<sup>24</sup> The first view, exemplified by Robert Kee's *The Green Flag* and R.F. Foster's *Modern*

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<sup>22</sup> Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference*, (Princeton: Princeton University Press, 2000), 100. I am grateful to Professor Moynahan for the suggestion of the Slavic/German example of the major/minor dynamic in Gilles Deleuze & Felix Guattari, *Kafka: Toward a Minor Literature* Dana Polan, trans., (Minneapolis: University of Minnesota Press, 1986, accessed 28 April 2017, <http://projectlamar.com/media/dgkafka.pdf>, 18-19.

<sup>23</sup> One serious challenge for this project is formulated by Gayatri Chakravorty Spivak in "Can the Subaltern Speak?", in *Marxism and the Interpretation of Culture*, ed. Cary Nelson & Lawrence Grossberg, (Chicago: University of Chicago Press, 1998), 285.

<sup>24</sup> Maureen Wall, "The Whiteboys," in *Secret Societies in Ireland*, ed. Desmond T. Williams, (Dublin: Gill & MacMillan, 1973). I am grateful to Professor Staunton for this observation.

*Ireland*, dismisses them as unimportant to the story of Irish National Independence.<sup>25</sup> Another approach is taken by historians such as Pat Feeley, S.J. Connolly, and Kevin Whelan when they discuss the Whiteboys. They tend to treat them as a group whose practices were interesting, but whose aims and importance were solely local.<sup>26</sup> A step beyond Wall was taken in the more systematic studies of the Whiteboys' membership written by James S. Donnelly Jr. and Maria Luddy in the late 1970s and 1980s respectively. However these views of the Whiteboys remain subsumed by an Irish national narrative of struggle against English misrule until independence is achieved.<sup>27</sup> Wall's own study was a synthesis of newspaper archives and elite correspondence which depicted the Whiteboys as a non-sectarian redresser movement whose actions grew organically into the sectarian secret societies for which eighteenth century Ireland became famous.

At this point, it is necessary to step back from Wall's analysis. We now have access to an increased scholarship on movements from below, most significantly subaltern studies and Thompson's use of moral economy, which we can use to learn more about this secret agrarian society. In fact, there is a great deal that can be learned about the Whiteboys beyond what has been suggested by Wall and later scholars who have dealt with the Whiteboys.

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<sup>25</sup> Robert Kee, *The Green Flag: The Turbulent History of the Irish national Movement*, (New York: Delacorte Press, 1972). R.F. Foster, *Modern Ireland: 1600-1972*, (London: Penguin Books, 1989).

<sup>26</sup> S.J. Connolly, "Jacobites, Whiteboys and Republicans: Varieties of Disaffection in Eighteenth-Century Ireland," *Eighteenth-Century Ireland / Iris an dá Chultúr*, Vol. 18 (2003): 63-79.

Pat Feeley, "Whiteboys and Ribbonmen," *The Old Limerick Journal*, vol. 4 (1980): 23-27.

Kevin Whelan, *The Tree of Liberty: Radicalism, Catholicism and the Construction of Irish Identity 1760-1830*, (Notre Dame: University of Notre Dame Press), 1996.

<sup>27</sup> J.S. Donnelly Jr., "The Whiteboy Movement, 1761-5," *Irish Historical Studies* 21, no. 81 (1978): 20-54.

Maria Luddy, "Whiteboy Support in County Tipperary: 1761-1789," *Tipperary Historical Journal*, 8 (1989): 66-79.



The Whiteboys possessed a logic which, even if not singular, was their own. When they began in 1761, there was no goal towards an ultimately rebellious sectarian organization. Using subaltern studies as a critical tool allows us to negatively read<sup>28</sup> the accounts of the Whiteboys' written by elites. To do so, a sustained close reading of several of the most important accounts is worthwhile—especially *An Alarm, A Candid Enquiry*, and Campbell's *Philosophical Survey*. Thompson's moral economy also enables us to encounter this movement from below on its own terms because it helps us to understand the reasons behind a peasantry's protests. I propose that we employ these tools to do three things using the scant historical record. First, outside accounts of the trials of Whiteboys, tracts on Whiteboyism, and elite records of Whiteboy actions illustrate the methods which the Whiteboys employed. Second, the responses of the government to the threat of Whiteboyism illustrate the effects of the Whiteboys on government policy, and official perceptions of the Whiteboys. Finally, the dying declarations of men convicted of being Whiteboys provide us with an invaluable instance of Whiteboys articulating their aims in their own voices.

The following project will be broken into three sections. The first posits a historical context for the moral economy of the Whiteboys by tracing a broader history of agrarian protest in England, Scotland, and Ireland, and by discussing traditional Irish conceptions of landlord/tenant relations. Tracing this history is important for situating moral economy because Thompson developed his concept in the context of English labor history. The second section examines the distinction between insurrection and rebellion through the lens of elite accounts of the Whiteboys' actions and the legislation

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<sup>28</sup> By reading negatively I mean to compare these accounts against each other and situate them in their historical context in order to find out what they are not saying and if there are aspects of them which can reliably be used to inform us about the people they claim to describe. See Guha, "Prose of the Counter-Insurgency," 47.

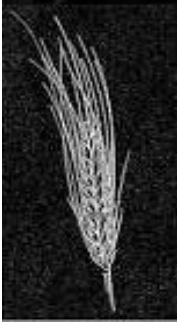
aimed against them, and it uses subaltern studies to read against the elite accounts of the Whiteboys in an attempt to reconstruct a positive vision of how their actions were informed by their moral economy. This project is arduous—at times the second section will read more like an annotated bibliography than a narrative history—but it is necessary to move slowly in order to ensure that the close reading is communicating valuable information about the Whiteboys themselves rather than reproducing an elite view of them. The final section uses the historical context developed in the first section and the practices of close reading undertaken in the second section in order to systematically analyze the Whiteboys' moral economy using the dying declaration of Darby Brown as a critical piece of evidence.<sup>29</sup> This analysis demonstrates the salience of the distinction between insurrection and rebellion, and the importance of the concept of moral economy for reconstructing subaltern voices.

A close reading of the Sheehy trials and the repression of the Whiteboys proves that the government of Ireland viewed them as a rebellion. This view was based more on the Protestant government's fears of external attack than the realities of Whiteboyism itself. Beginning around 1761, Ireland had, and retains, an international reputation for lawlessness because the insurrectionaries were labelled as such, but this was not the intention of the secret society which inaugurated the period of agrarian violence lasting from about 1761-1798. A close reading of Darby Brown's dying declaration suggests that their insurrection was instead an attempt to open up a space in which the redress of their grievances could be possible. However, we should remain aware of the broader influence of the Whiteboys as an exemplary movement for other groups of the rural poor in Ireland.

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<sup>29</sup> To my knowledge, this evidence has never been used in a sustained fashion before now.

Encountering the Whiteboys on their own terms is necessary before they can be situated not only in Irish history, but also in the fields of agricultural, colonial, and labor history. Their story has possible parallels in other peripheral areas such as India and Bohemia. Nevertheless, this project will remain grounded in the actions of the Whiteboys themselves, taking into special consideration their use of levelling as an aspect of peasant resistance to the expansion of global capitalism. This study of the Whiteboys can serve as a model for reconstructing the moral economy of a movement from below.



### A Historical Context for Moral Economy

*“We ought really to rest thankful that at this delecteful hour [...] we have even a written on with dried ink scrap of paper at all to show for ourselves” (Finnegans Wake, p. 118, ln. 31-34).*

Tithes and enclosure had been contentious issues in Ireland at least since 1607 when the Penal Code disenfranchised Catholics and established the Anglican religion. In 1735 these two grievances became entwined when “hostile resolutions [against the clergy] by the House of Commons [...] forced the clergy to abandon their claim to tithes on pasture land.”<sup>30</sup> These resolutions made pasturage a tax-dodge for those who wanted to avoid paying tithes and could afford to invest the money required to raise livestock. Between 1700 and 1760, landlords in Ireland enclosed both waste-land and land previously used for tillage, and converted them to pasture for cattle grazing. Agrarian laborers relied on common waste-land for the grazing of their own flocks or for communal tillage; when they lost these privileges they correctly perceived that their livelihood was under threat. Although this waste-land legally belonged to the landlords, the tenants viewed enclosure as a transgression of their rights and a violation of the reciprocal lord-peasant relationship. In order to understand the moral economy of the Whiteboys, we must first

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<sup>30</sup> Wall, “The Whiteboys,” 13.

understand the historical development of their conception of what their traditional or customary rights were.

The Irish had their own particular view of the rights of the poor, and specific triggers—such as a lord’s failure to protect his client—which indicated to them that their rights had been violated. The early Irish law concept *rechtge* will be used from here on to designate these rights. As a historical term *rechtge* signified all of an area’s local laws including both written statutes and traditional rights—both positivistic written laws and normative customs and feelings about what justice entailed. It can helpfully be considered as analogous to customary law in English jurisprudence. For our purposes, *rechtge* will be considered as a legal space in which peasant justice was permissible in early Ireland. In effect, *rechtge* served to enshrine the moral economy of both peasants and lords in the Irish canon of law.

*Rechtge* is foundational to the Whiteboys’ view of what their traditional rights were, and will be discussed in detail towards the end of this chapter.<sup>31</sup> However, Ireland was only one among many areas to witness riots against enclosure. The islands of Ireland and Britain experienced serious upheavals throughout the agricultural revolution due in part to the dislocations caused by enclosure—of which the Levellers of the 1630s-50s are only the best known. “[T]he commons that disappeared from so many an English village in the eighteenth century belonged to a very elaborate, complex, and ancient economy,” which was also true of the commons which had been enclosed in the sixteenth and seventeenth centuries and the commons which had been enclosed outside

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<sup>31</sup> See 34-35.

of the English context.<sup>32</sup> As we have seen, the Levellers were considered a useful analog to the Whiteboys, and taking this comparison seriously is an excellent opportunity to try to understand the rationale behind protests against enclosure and tithes because the Levellers formulated and wrote down their theories. Furthermore, Thompson's concept of the moral economy of the poor was developed in an English context. Examining the Levellers helps us to understand not only the historical development of moral economy, but also gives us the luxury of hearing the principles which informed this movement straight from the source.

This comparative project can also be supplemented by considering other movements from below.<sup>33</sup> If the Levellers are as useful for interpreting the Whiteboys' actions as Campbell believed them to be, then other groups can also be used to shed some light on the rationale of the peasantry. The Levellers were partially inspired by the Peasant's Revolt of 1381. The motivating principle behind this revolt seems to have been John Ball's radical interpretation of the Lollard heresy.<sup>34</sup> However, Lollardy's explicitly religious character sets it distinctively apart from the Whiteboys.<sup>35</sup> If Campbell had not suggested them to us then same might be true of the Levellers, but they and the True-Levellers employed methods so similar to those of the Whiteboys that these similarities deserve an in-depth analysis. The True-Levellers, or Diggers, had a much more radical

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<sup>32</sup> J. L. Hammond & Barbara Hammond, *The Village Labourer 1760-1832: A Study in the Government of England Before the Reform Bill*, (London: Longmans, Green, and Co. Ltd., 1927), 3.

<sup>33</sup> For other comparative analyses of peasant movements, see: E.J. Hobsbawm & George Rudé, *Captain Swing* (London Reader's Union Edition, 1970). Michel Mollat & Philloppe Wolff, *The Popular Revolutions of the late Middle Ages*, A.V. Lytton-Sells, trans, (London: George Allen & Unwin, Ltd., 1973). Rodney Hilton, *Bondmen Made Free: Medieval Peasant Movements and the English Rising of 1381*, (London: Routledge, 1993).

<sup>34</sup> Richard Rex, *The Lollards*, (New York: Palgrave, 2002), 52. The question remains as to how far religious principles in fact reflected what the peasants thought.

<sup>35</sup> Anne Hudson, *Lollards and their Books*, (Ronceverte: The Hambledon Press, 1985), 144.

vision of egalitarianism than that of the Whiteboys, but their pacific ideals confined their actions to a Whiteboy-like insurrection lasting from 1649-1652.

Considering the practices of groups outside of Thompson's original context will also be useful. The Scottish Covenanters of the late seventeenth to early eighteenth centuries were actuated by a militant Presbyterianism which had the explicit aim of overthrowing the earthly government and installing Christ as the new king. Even though they were also primarily a religious movement, the importance of oaths to the practice of Covenanting prefigures the secret oaths which were used by the Whiteboys to ensure solidarity among their members. The Irish Houghers only lasted from 1711-1712, but their insurrection foreshadowed that of the Whiteboys because they resisted enclosure and were the first modern Irish insurrection recognizable as a peasant's movement. Delving into these analogous and divergent movements will help us to build a clearer picture of the historical implementation of moral economy, and teach us about its development. Historical examples of protest against enclosure also give us a sense of how the Whiteboys fit into agricultural history more generally.

Anger over the transgression against *rechtge* which the 1751 *Distress for Rent Act* represented, combined with the strong sense of their moral economy as exhibited by the food riots beginning during the Famine of 1740-1, provides a cogent picture of the moral economic reasons behind the rise of the Whiteboys. Add to these grievances a growing sense of the iniquity of the twin issues of enclosure and tithes also exhibited by the Levellers, Diggers, Covenanters, and Houghers, and the logic behind the Whiteboys' insurrection becomes remarkably clear. This constellation of transgressions against their moral economy led to a strong feeling among Ireland's rural poor that they were being treated unjustly.

## Levellers

The Levellers and Whiteboys shared fundamentally similar grievances and employed similar methods for redressing those grievances. Predominantly, these grievances had to do with access to the land, and levelling enclosures was used by both in order to ensure that access. Therefore, the precise reasons why the category of ‘Levellers’ was used by eighteenth century observers to place and understand the Whiteboys deserve careful consideration. The Levellers came to their opposition against tithes through an experience with Puritanism and Protestant sects utterly foreign to both their predecessors the Lollards and the Irish Whiteboys a century later.<sup>36</sup> ‘Levelling’ itself was often taken to mean radical egalitarianism, and not just knocking down enclosures erected on the commons. However, the Levellers’ instrumental arguments about how tithing discourages tillage and the burdens which enclosure put on the poor are remarkably similar to the grievances of the Whiteboys.<sup>37</sup> The Levellers had a more immediately religious and revolutionary understanding of their opposition to the government, but their affinities with Whiteboyism can be glimpsed through the common grievances of tithes and enclosure.<sup>38</sup>

One option for why the Whiteboys were likened to the Levellers is that the Levellers were perceived as a touchstone for understanding agrarian violence in general. We already saw the comparison between Levellers and Whiteboys in Campbell's *Philosophical Survey*.<sup>39</sup> A further example of this comparison is that in 1762 the

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<sup>36</sup> D.B. Robertson, *The Religious Foundations of Leveller Democracy*, (New York: King's Crown Press, 1951), 10. God's law could be considered the basis of the Leveller moral economy, but I intend to study their demands and aims further to elucidate the similarities between the Levellers and Whiteboys.

<sup>37</sup> See pp. 22-24. For a discussion of enclosure's effects on rural population see W. Hasbach, *A History of the English Agricultural Labourer*, Ruth Kenyon, trans., (London: P.S. King & Son, 1908), 368.

<sup>38</sup> See Robertson, *The Religious Foundations of Leveller Democracy*.

<sup>39</sup> See above, 4.



anonymous author of *An Alarm* considers the Levellers a useful reference for understanding Whiteboyism. He even considers Levellers and Whiteboys to be synonymous in ‘Query XII’: he calls the Whiteboys of Cork “the Levellers, [the] unruly and riotous Rabble”.<sup>40</sup> ‘L.T.’s tract on the Whiteboys from 1767 was titled *A Candid Enquiry into the Causes and Motives of the Late Riots in the Province of MUNSTER in IRELAND; By the People called WHITE-BOYS or LEVELLERS*—he cannot decide which is a more appropriate name for the rioters even after writing a tract about them.<sup>41</sup> For the modern scholar, the use-value of the Levellers as a reference is apparent because their writings have survived to us and therefore the Levellers can be studied in greater detail than the secretive Whiteboys. However, we must be cautious when drawing analogies between the Whiteboys and the Levellers because the two groups differed in significant ways. The main difference, as already noted, was that many of the Levellers’ communistic and explicitly revolutionary principles stemmed from their theology.<sup>42</sup> The Whiteboys’ actions seem to have had less of a religious motivation and were comparatively more related to ‘earthly’ concerns. Furthermore, the Levellers had a leadership comprised of an articulate intelligentsia with prolific access to the press. They published dozens of tracts between 1638 and 1653 demanding liberty, equality,

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<sup>40</sup> Anonymous, *An Alarm to the Unprejudiced and Well-minded PROTESTANTS of IRELAND: Or, Seasonable QUERIES Upon the Rise, Danger, and Tendency, of the WHITE-BOYS*, (Cork: Unknown, 1762), 7.

<sup>41</sup> L.T., *A Candid Enquiry into the Causes and Motives of the Late Riots in the Province of MUNSTER in IRELAND; By the People called WHITE-BOYS or LEVELLERS. With an Appendix, Containing other PAPERS on the Same Subject. In a Letter to a Noble LORD in England.*, (London: Flexney, Almon, & Newberry, 1767), 1.

<sup>42</sup> See Christopher Hill’s *The World Turned Upside Down: Radical Ideas during the English Revolution*, (New York: The Viking Press, 1972) demonstrates this convincingly. See especially pages 151-183. See also John Lilburne’s “A Worke of the Beast” published in 1638, and William Walwyn’s “The Power of Love” published in 1643. Both in: *Tracts on Liberty in the Puritan Revolution, 1638-1647*, vol. II, edited by William Haller, (New York: Columbia University Press, 1934).

freedom of conscience, universal manhood suffrage, and the establishment of a representative Parliament of commons.<sup>43</sup> The Whiteboys had no such leadership.

These differences suggest that the main affinity between the Levellers and the Whiteboys was that eighteenth century observers of Whiteboyism viewed the activities of Whiteboys as ‘things that the Levellers might have done.’ However, even if we dismiss the opinions expressed in *An Alarm*, *A Candid Enquiry*, and *The Philosophical Survey* as vain attempts to comprehend the phenomenon of Whiteboyism, we can still see that Whiteboys and Levellers shared at least two aims. Both groups wanted to end enclosure and curtail tithes paid in support of the established Anglican Church. They also had some practices in common such as levelling ditches and fences and posting public notices—though the writings of the Whiteboys, despite coming 100 years later, have not survived.<sup>44</sup> Another similarity between the two groups is that the bulk of their members came from the laboring classes. The eighteenth century elite’s descriptions of the Whiteboys as Levellers may be suspect, but even Darby Brown called himself a Leveller first and a Whiteboy second.<sup>45</sup>

A further potential connection between the Levellers and Ireland’s Whiteboys is the Levellers’ opposition to Oliver Cromwell’s reconquest of Ireland. This opposition was recorded primarily through the critiques of those in Cromwell’s government of the Levellers’ protest. Perhaps this protest against the reconquest of Ireland was known to Irish Protestants in the eighteenth century, but our knowledge of it comes from modern scholarship on the English Civil War. One example is Norah Carlin’s article “The

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<sup>43</sup> David Wootton & Mark Goldie, “Leveller Democracy and the Puritan Revolution,” Chapter in *The Cambridge History of Political Thought 1450–1700*, edited by J. H. Burns (Cambridge: Cambridge University Press, 1991), 412. For a refutation of freedom of conscience, see *Hobbes’s Leviathan* (Oxford: Clarendon Press, 1958), XXIX, § 169, 249.

<sup>44</sup> The public notices are frequently alluded to, but never quoted. See Maureen Wall for examples.

<sup>45</sup> See 114 below.

Levellers and the Conquest of Ireland in 1649” which attempts to prove that the Levellers, particularly William Walwyn, were at least considering that Ireland ought to be its own sovereign nation over which England had no right.<sup>46</sup> “The English Soldier’s Standard,” and “The Soldiers Demand” are used to demonstrate that the Levellers in the New Model Army wanted guarantees of their own republic before they went off to fight another war in what was perceived as a foreign and, since the rise of the Irish Confederation,<sup>47</sup> sovereign nation.

The enemies of the Levellers may have overstated their love of the Catholic Irish in order to demonize them, but according to Carlin, “principled radical opposition to English rule [over Ireland] did exist in 1649, [...] such views did at least overlap with typically Leveller ideas such as natural rights, freedom of conscience and the tyranny of rule by conquest.”<sup>48</sup> For example, “Walwyn’s Wiles” claimed that the Leveller leaders argue

“[t]hat the sending over forces to Ireland is for nothing else but to make way by the blood of the Army to enlarge [the parliament’s] territories of power and Tyranny. That it is an unlawful War, a cruel and bloody work to go to destroy the Irish Natives for their Conscience [...] and to drive them from their proper natural and native Rights.”<sup>49</sup>

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<sup>46</sup> Norah Carlin, “The Levellers and the Conquest of Ireland in 1649,” *The Historical Journal*, Vol. 30, No. 2 (Jun., 1987): 269-288, 271. For more on this debate see Peter Linebaugh & Marcus Rediker, *The Many Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic*, (Boston: Beacon Press, 2000), 104, 116, & 120-123. For a romantic Marxist slant to this argument, see also the *Worker’s News Paper* article, “The Levellers and Irish Freedom.” I am grateful to Professor moynahan for leading me to these sources. A Marxist interpretation of the Levellers would not be entirely out of character. Besides the communistic principles of the Levellers, Karl Marx himself wrote about them and their woes. See *Economic and Philosophic Manuscripts of 1844*, trans. Martin Milligan, (Amherst: Prometheus Books, 1988), 53-67. Also: Karl Marx, *Capital: A Critique of Political Economy*, (New York: The Modern Library, 1906), 784-848.

<sup>47</sup> See Jane Ohlmeyer’s book *Ireland from Independence to Occupation, 1641-1660*, (Cambridge: Cambridge University Press, 1995), for several discussions of this fascinating time period in Ireland.

<sup>48</sup> Carlin, “The Levellers and the Conquest of Ireland in 1649,” 271.

<sup>49</sup> William Haller & Godfrey Davies, eds., *The Leveller Tracts 1647-1653*, “Walwyn’s Wiles,” (New York: Columbia University Press, 1944), 288-289.

However, we should remain cautious of concluding too much from character assassinations of the Levellers such as “Walwyn’s Wiles,” and “The Manifestators Manifestated.”<sup>50</sup> Asserting that William Walwyn was an advocate of Irish liberation from this evidence is problematic because we never read him stating, in so many words, that the Irish deserve a sovereign nation of their own, even if he indeed thought as much.

What we do hear the Levellers and their leaders emphatically expound, again and again, is that every human being deserves to exercise their own freedom of conscience, that every man has political rights, and that war for any object besides liberty is an unjust affront to God. In “The Bloody Project,” published in 1648, W.P. Gent tells his readers that it will not “satisfy the Conscience, or Gods justice, to go on in uncertainties, for in doubtfull cases men ought to stand still, and consider, [...] especially when killing and sleying of (the most horrid worke to Nature and Scripture) is in question.”<sup>51</sup> Gent execrates war, especially any war which is carried on without a manifest reason. The only reason why he and his fellow Levellers took up arms for parliament was because the king had repressed their freedom. This cause alone is worthy of bloodshed because “the just freedom and happiness of a Nation, [is] above all Constitutions, whether of Kings, Parliaments, or any other.”<sup>52</sup> However, the cause of freedom does not require that the soldiers cross the sea to conquer a foreign nation. This sentiment appears again in “The Manifestation” of 1649, which was published just before Cromwell sailed for Ireland. The Levellers take a clear stance on bloodshed in “The Manifestation,” even if they do not expressly state their opinions about the impending expedition. “Peace and

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<sup>50</sup> Carlin acknowledges this difficulty on p. 277.

<sup>51</sup> *The Leveller Tracts*, “The Bloody Project,” 136.

<sup>52</sup> *Ibid.*, 144.

Freedom is our design; by War we were never gainers, nor wish to be”.<sup>53</sup> These pacific sentiments give us a sense of the Levellers’ position regarding freedom for Ireland. Since the Levellers are opposed to warfare under any pretext except the establishment of freedom, then perhaps the Irish should be allowed to found their own state. The Levellers are not concerned with the conflict between Catholicism and Protestantism, only with establishing a more equitable system of government in their home country.<sup>54</sup>

In this light, “The Manifestators Manifestated” may have been at least partially accurate when it claimed that Walwyn endeavours “arguing that the cause of the Irish Natives in seeking their just freedoms, immunities, and liberties, was the very same with our cause here,” and therefore the English should leave them alone to establish their own government.<sup>55</sup> However, even if we can infer a theoretical call for Irish freedom from Leveller beliefs regarding what constituted a just war and their demands for religious toleration, a similar demand was absent from the Whiteboys’ own program. To develop a connection between Levellers and Whiteboys, we must look at the structural similarities between the Leveller’s demands and the Whiteboys’ actions.

The Levellers and Whiteboys had two main grievances in common. They both wished to end enclosure and they both bridled under the tithes paid to support a church to which they did not belong. As early as 1647, “The Case of the Armie Truly Stated” reminded the participants at the Putney Debates<sup>56</sup> that the “Demands of the Armie,” by Wildman, included:

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<sup>53</sup> Ibid., “A Manifestation,” 284.

<sup>54</sup> This logic also gives us a sense of the process by which demands for political liberty evolved out of demands for religious liberty.

<sup>55</sup> Ibid., “Manifestators Manifestated,” 310. It is also worth remembering that this anti-Leveller tract was a direct response to “A Manifestation.”

<sup>56</sup> For a discussion of the Putney Debates see the transcription of said debates:

<http://oll.libertyfund.org/pages/1647-the-putney-debates>. For the ramifications of the failure to ensure

7. That all oppressive statutes, enforcing all persons though against their consciences to pay Tythes, whereby the husbandman cannot eat the fruit of his labours, may be forthwith repealed and nulled. [...] 12. That all the antient rights and donations belonging to the poore, now imbezzled and converted to other uses, as inclosed Commons, Alms houses &c. throughout all parts of the land may be forthwith restored to the antient publique use and service of the poore.<sup>57</sup>

Reminding the debaters at Putney of the force with which the people believe in their demands is intended to ensure that these demands are included in whatever agreement stems from the debates. Tithes are portrayed as stealing food from the farmer's very table, while enclosure is declared to be the theft of the subsistence of the poor for the benefit of the rich. Furthermore, commonage is claimed as an ancient traditional right instated for the benefit of the lower class.<sup>58</sup> In the Levellers' opinion, without these 'social safety nets' a just and lawful government can never be established.

Two years later, Lilburne's tract "England's New-Chaines Discovered" made the connection between tithes and agriculture explicit. He recalled that "The Agreement of the People" of 1647 "seems to be resolved to take away all known and burdensome grievances, as Tythes, that great oppression of the Countries industry and hindrance of Tillage".<sup>59</sup> By appropriating the farmer's labor to pay for ministers who may not even be of their sect, tithes discourage farmers from expanding agriculture. The inhibition of conscience and agriculture by tithes would remain a central issue for the Levellers throughout their existence, and was also picked up by the Diggers. In 1649, Lilburne

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commonage for the poor at the Putney Debates, see "The Divarication of the Putney Debates," chapter four in Linebaugh & Rediker, *The Many Headed Hydra*, especially pages 104-105, 108, 116-117, & 120-123.

<sup>57</sup> Ibid., "Case of the Armie," 82.

<sup>58</sup> A moral economic right, like the reciprocity inherent in Irish *rechtge*.

<sup>59</sup> Ibid., "England's New Chains Discovered," 159. It may be reading too much into this grammatically fraught corpus, but it appears significant that Lilburne used the present tense when describing "The Agreement"—was he of the opinion that these demands operated in the present, as a persistent remonstrance against parliamentary inaction?

raised this unresolved grievance again in “Legall Fundamentall Liberties.” He asserted that, before he joined the army, he had been thinking of becoming a farmer until

I considered the grand oppressions there, as by Tythes, which is not onely annually the tenth part of the Husbandmans profit to the lazy, antichristian, time observing Priests; but annually the fourth part of his increase, hazards, yea, and stock too; which Tythes I should sooner be hanged than pay.<sup>60</sup>

Lilburne declares that the very fact of collecting tithes for an established priest is anti-Christian.<sup>61</sup> Tithes steal away the produce of the soil and thereby convince otherwise industrious men that farming is not worth their time. In Lilburne’s estimation, tithing thereby undermines the very foundation of a free nation. Rather than support this institution, Lilburne would sacrifice his life.

In contrast to the Whiteboys’ limited attempt to ameliorate their grievances, the Levellers were aiming at an ambitious revolution in the sense of returning to or aspiring to a prelapsarian state. However, they were unable to take control of the State, and thus could not effect their plans. Their rebellion was ultimately unsuccessful, except insofar as they left behind them a swath of radical tracts and professions on the importance of liberty to the good of the commonwealth. The Whiteboys left no such written record of their ideas, but the Levellers’ story tells us that freedom from tithes and freedom to till common land were fundamental concerns for the peasantry. The Levellers’ theoreticians viewed the redress of these twin grievances as foundational to liberty.

### Diggers

The Digger, or ‘True-Leveller,’ movement practiced active tillage and levelling of enclosures from 1649-1652. Like the Levellers, the Diggers left a voluminous body of

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<sup>60</sup> Ibid., “Legall Fundametall Liberties,” 436.

<sup>61</sup> See also Hill’s discussion of resentments against the established church bringing people to assert that the very institution of priests counters the ideals of the Reformation, particularly, 112.

tracts behind thanks to their mouthpiece, the prolific Gerrard Winstanley. Winstanley took the Levellers' radical opposition to tithes and enclosure beyond their vision of an improved and communistic constitution, and reformulated it into a doctrine diametrically opposed to the very concepts of property and clergy. He appears to have been inspired by the writings of Walwyn and Overton, but "Winstanley was no scholar, and probably had little occasion to be critical about the origins of his ideas" which makes tracing his intellectual development almost impossible.<sup>62</sup> Winstanley himself claimed that his ideas were divinely inspired by a revelation granted by God. This vision revealed to him that communal work and living would be the glory of the English nation, and put an end to inequality in society.<sup>63</sup> "On the first day of April, 1649," Winstanley and the slightly more moderate William Everard "led a little band of some half dozen poor men [...to] the common land at St. George's Hill and began to dig the ground and to prepare it for sowing parsnips, carrots, and beans."<sup>64</sup> The first Diggers clearly took the Leveller tenet of pacifism to heart; they did not want to expropriate the landlords but desired instead to be an exemplary community, and a base from which Winstanley could issue his exhortations.<sup>65</sup>

In *The True Leveller's Standard Advanced*, probably first published on 20 April 1649, Winstanley makes the desires of the community at St. George's Hill plainly known. The title indicates that the Diggers are taking their inspiration from the tenets of

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<sup>62</sup> George H. Sabine, editor, *The Works of Gerrard Winstanley*, (Ithaca: Cornell University Press, 1941), 21.

<sup>63</sup> Hill, 129.

<sup>64</sup> Sabine, 11.

<sup>65</sup> See especially Winstanley's "New Law of Righteousnes Budding Forth, To Restore the Whole Creation From Bondage of the Curse" in Sabine, p. 222.



the Levellers, but also feel that the ‘constitutional’ Levellers did not go far enough.<sup>66</sup> Like the Levellers, the Diggers believed that “[t]he Earth [was] made to be a Common Treasury of relief for all”.<sup>67</sup> However, Winstanley’s interpretation of the introduction of hierarchy as the true Fall caused him to despise all property institutions, and money as well, as the content and cause of humanity’s curse.<sup>68</sup> Therefore, the Leveller call for equality in property is not enough. There should not be any property at all. These tenets are much more radical than anything which can be inferred from the Whiteboys’ actions, but Winstanley’s words help us to understand the kinds of rationalizations behind a radical peasant movement.

The Lollards believed that God could not will to reward the sinful with earthly property, but Winstanley claimed that God would not will to reward anyone with status over another person no matter whether they were saint or sinner.<sup>69</sup> The very institution of status is a sin itself. Winstanley and the Diggers emphatically believed

that this Civil Propriety [of landlord-tenant relations] is the Curse, is manifested thus, Those that Buy and Sell Land, and are landlords have got it either by Oppression, or Murther, or Theft; and all landlords live in the breach of the Seventh and Eighth Commandments, *Thou shalt not steal, nor kill*.<sup>70</sup>

Property, especially that of people who force others to pay rent in order to work the soil, is obtained and held by sin. The accumulation of wealth does not exhibit God’s favor, but rather is the result of machinations and cunning which are in fact counter to God’s laws. Like the Leveller leaders, Winstanley’s radical interpretation of property relations

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<sup>66</sup> See Hill, page 114, for a discussion of the division between “constitutional Levellers” and “radical Levellers”.

<sup>67</sup> Sabine, 252.

<sup>68</sup> Ibid.

<sup>69</sup> Curtis V. Bostick, *The Antichrist and the Lollards: Apocalypticism in Late Medieval and Reformation England*, (Leiden: Brill, 1998), 144.

<sup>70</sup> Sabine, 258.

derived from his personal reading of the Bible and his revelations. But unlike the Levellers, the Diggers practiced a direct action which did not allow for violence at all, even in the name of liberty.

The Diggers thought that leading by example would be more effective than achieving their schemes through open rebellion. At the close of *The True Leveller's Standard*, Winstanley declares “[t]hat there is no intent of Tumult or Fighting” at St. George’s Hill, “but only to get Bread to eat, with the sweat of our brows; working together in righteousness, and eating the blessings of the Earth in peace.”<sup>71</sup> This seems to indicate that the Diggers were an isolationist group, retreating from the problems of a sinful world. However, the refusal to engage in a ‘tumult’ against the government was calculated to ensure the duration of the Digger community, and thereby provide a long-term example to the world at large.<sup>72</sup> The Diggers’ principles caused them to act more like Whiteboys than Levellers, but Winstanley’s theories were far more radical than either group.

His belief in the supremacy of human reason led Winstanley to a principled opposition to tithes as well as enclosure.<sup>73</sup> As a prologue to *The Law of Freedom in a Platform or True Magistracy Restored*, Winstanley wrote a remonstrance entitled *To his Excellency Oliver Cromwel, General of the Commonwealths Army in England, Scotland, and Ireland*. Winstanley tells Cromwell that his revolution is only partial, and there is much work to be done in order to fully remove the ‘Norman yoke.’ Besides the iniquity in property, “[t]he burden of Tythes remains still upon our Estates” and must be

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<sup>71</sup> Ibid., 266.

<sup>72</sup> Ibid., 260. Both Communists and Anarchists echoed Winstanley’s utopianism in the nineteenth century, albeit with a militant twist.

<sup>73</sup> Hill, 140-142.

redressed because the clergy's "preaching fill the minds of many with madness, contention, and unsatisfied doubting, because their imaginary ungrounded Doctrines cannot be understood by them, yet we must pay them large Tyths for so doing; this is Oppression."<sup>74</sup> The institution of tithes is a fundamental flaw in the commonwealth; it leads directly to discord and undermines civil peace by confusing the people's faculty of reason, especially when these tithes are paid to a denomination to which one does not belong. But there is an easy solution for how to pay churchmen: commonage. Winstanley tells Cromwell that farming the waste lands will provide such a surplus that "though you do take away Tythes [...] yet there will be no want to them, for they have the freedome of the Common stock".<sup>75</sup> Like the Whiteboys, Winstanley understood that tithes and agriculture are intertwined.<sup>76</sup> However, Winstanley claimed that total levelling would eliminate the need to tithe altogether.

*The Law of Freedom* contains a detailed and elaborate account of Winstanley's vision for a true commonwealth. In some ways, *The Law of Freedom* reads like a proposed draft constitution rather than a set of recommendations. It is a compilation of ordinances derived from Winstanley's religious principles, both those read in the Bible and revealed to him through divine inspiration. He appears to be compiling a law not just for England—though Cromwell and the Rump Parliament are his primary audience—but for every place on earth which will follow the Digger's example in due time.<sup>77</sup> Winstanley's law of freedom includes his egalitarian religious principles, aspects of particular English customs, and an expansion of the traditional commonage rights of

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<sup>74</sup> Sabine, 504.

<sup>75</sup> Ibid., 510.

<sup>76</sup> See also Lilburne, "Legall Fundamentall Liberties," above 24.

<sup>77</sup> Sabine, 257.

the poor to every member of society. Indeed, these are to be the primary foundation of freedom for his true commonwealth. In this regard, Winstanley's law of freedom can be read as a codification of moral economy.<sup>78</sup> The major divergence is that although the moral economy includes customary rights, it is usually a synthesis of these traditions with the canon of law. Winstanley wished to enshrine customary rights, including those lost in the Fall, as the new law of the land.

### Covenanters

Gerrard Winstanley and his Diggers were persecuted mercilessly by the freeholders around St. George's Hill; by August of 1649 they were driven away from their communal farm. Several other communities of Diggers sprang up over the next three years, but all were forcibly squashed either by the army or local landlords. It is unclear how many of them shared Winstanley's vision of an ever-expanding pre-lapsarian state based on an appeal to mankind's reason.<sup>79</sup> What is clear is that the abolition of property, despite Winstanley's Biblical examples, did not appeal to the reason of the men of property. The Scottish Covenanters were also attempting to establish a lasting exemplary community derived from their religion, but unlike the Diggers they very explicitly rejected men's reason as an unreliable method of constituting their state. To ensure loyalty, the Covenanters used religiously inspired oaths to bind each other to solidarity and the correct faith just as oaths to secrecy would bind the Whiteboys and subsequent agrarian societies in the eighteenth century.

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<sup>78</sup> See *Rechtge*, below, 36-39.

<sup>79</sup> This doctrine was radically opposed to predestination, and indeed the very concept of an in-group and out-group. For Winstanley, the common possession of reason indicated that there should be equality in gender relations as well. The Ranters and Seekers interpretation of reason led them to believe that there was no future state of rewards and punishments at all. See Hill, 184-230.

The Scottish Covenanters were not a bottom-up movement like the Levellers or Diggers, the belief that Scotland should be a reformed nation came from the General Assembly of nobles, burgesses, and clergy. This isn't to say that the common people of Scotland did not share this belief, but it was the General Assembly which first established the Covenant inspired by Moses' agreement with God.<sup>80</sup> The General Assembly's belief in the supremacy of religious principles over secular ones informed "the National Covenant of 1638 [which was intended to] renew [...] the national renunciation of Popery, [pledge] adherence to Presbyterianism, and [show] King Charles I that he was not above the law," especially if the law was informed by the true religion.<sup>81</sup> In effect, the Covenanters were attempting to establish a state with Christ as the monarch. Scotland could legitimately overthrow the earthly throne because their true allegiance was, first and foremost, to "Christ, not merely in his divine nature, as God, but in his mediatorial capacity as God-man, [...] appointed by God the father to rule over the nations".<sup>82</sup> The Covenanters were not 'levelling' the existing social order to arrive at a more equitable society, they were rather setting up an alternative hierarchy which they hoped would help them to mediate earthly governments and establish justice with the aid of religious principles.

The challenge to English rule inherent in Covenanting did not go unnoticed by the English monarchs. "The Restoration of Charles II mark[ed] the end of the Church of Scotland as a covenanted Church, and the beginning of the history of the Covenanters as a dissenting group or party" because the "Church of Scotland became officially

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<sup>80</sup> Johannes G. Vos, *The Scottish Covenanters: Their Origins, History and Distinctive Doctrines*, (Shanghai: Evans Book Company, Ltd., 1940), 9.

<sup>81</sup> Ibid., 34.

<sup>82</sup> Ibid., 153. In a sense, Christ is the embodiment of paternalism in the Covenanted Scottish State.

Episcopalian” by law.<sup>83</sup> Their subsequent dissent grew out of the fact that the common people picked up on the possibilities of using Covenanting to circumnavigate the established government.

During the Pentland Rising of 1666, the soldier Sir James Turner was kidnapped. His kidnappers took Turner to Lanarck, where they “formally renewed the Solemn League and Covenant, and also issued a declaration stating their reasons for appearing in arms, which were self-defense, maintenance of the Covenant, and protest against the apostasy and cruelties of the times.”<sup>84</sup> Eleven years later, the Covenanters rose in rebellion again. At Drumclog, they won a battle against the king’s forces on 29 May 1679, but were decisively defeated on 22 June at Bothwell Bridge.

The prisoners [of Bothwell] were given an opportunity to regain their freedom by signing a bond in which they called the uprising “rebellion” and promised not to take up arms against the King’s forces. Some signed this bond, but others would not call the insurrection “rebellion” nor promise not to take up arms in self-defense.<sup>85</sup>

The Covenanters taken at Bothwell Bridge give us a fascinating glimpse into Covenanting’s moral economy. For one thing, they could not countenance giving up their God given right of self-defense against a state which they viewed as illegitimate. Their rejection of the language of the bond which they were coerced to sign is of particular interest. They did not see their action as a rebellion; it was no treason to fight for their self-defense against an illegitimate government. Leaning too much on the word ‘insurrection’ would be a mistake in this context. However, it is worth noting that the

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<sup>83</sup> Ibid., 64.

<sup>84</sup> Ibid., 90.

<sup>85</sup> Ibid., 93. The 250 Covenanters who would not sign the bond were Barbadosed—sold as slaves to colonists in the Caribbean—but the ship wrecked just off the coast of Scotland, and of those who did not drown about fifty escaped custody.

option of a resistance which is not an outright rebellion was countenanced by the Covenanters

Valerie Wallace's article "Presbyterian Moral Economy: The Covenanting Tradition and Popular Protest in Lowland Scotland, 1707-c. 1746" makes this potential connection between Covenanting and an insurrection based on moral economy explicit. Her argument is that even if lowland Scots did not engage in open rebellions against the English crown as the Highlanders or the Irish are famous for, they were not a docile people. "Religiously inspired ideas of equality and economic equity in God's world, combined with the desire to resist the encroachment of Anglican hierarchy, drove the ordinary Presbyterians to rebel."<sup>86</sup> While we may take issue with her use of the term 'rebel', her article demonstrates that their moral economy led many lowland Scots to assert what they viewed as their traditional or customary rights against the English crown, especially certain families which she terms "Covenanting clans."<sup>87</sup>

The Covenanters persistently protested malt taxes, restrictions on importing grain from Ireland, and perceived encroachments of Episcopacy and Anglicanism.<sup>88</sup> Like the Whiteboys, the Covenanters were frequently engaged in protests which do not fit neatly into the Jacobite tradition, which, also like the Whiteboys, is how they were often viewed by contemporary observers. Wallace provides us with two fascinating examples of this fact from the Jacobite invasions of Scotland:

Their commitment to Covenanting principles meant that in 1715 some Presbyterians refused to fight for an uncovenanted Hanoverian monarch against the equally offensive Jacobites; in 1745 the Howdenites, a tiny

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<sup>86</sup> Valerie Wallace "Presbyterian Moral Economy: The Covenanting Tradition and Popular Protest in Lowland Scotland, 1707-c. 1746," *Scottish Historical Review*, No. 227, (2010): 54-72, 56. Part of this encroachment may very well have involved tithes.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid., 55, 64, 67, 69, & 71.

minority of Covenanting fantasists, went so far as to declare war on both sides.<sup>89</sup>

The fact that many Presbyterians could not decide whether the Hanoverians or the Jacobites were more odious illustrates the influence of their Covenanting tradition on their moral economy. Ultimately, the Howdenites rebelled against both royalties because they viewed neither one as the legitimate government—which should have Christ, not an earthly monarch, on the throne.

In 1724, the Galloway Covenanters rose up again over economic grievances. Like the Whiteboys, they were called ‘Levellers’ because their actions recalled those of the Levellers of the 1640s-50s. The rising lasted for about a year, during which “[t]he Galloway Levellers protested against enclosure by congregating in groups of up to one thousand in order to level new and offensive dry stone dykes.”<sup>90</sup> The large gatherings of Galloway Levellers demonstrate that there was widespread vitriol against the landlords’ encroachments on the traditional right of commonage.<sup>91</sup> Wallace argues that levelling had been persistent in the area since at least 1712, and that the Galloway Levellers’ used their experience of forming an oath-bound secret society to mobilize fellow Covenanters in subsequent riots against excise tax and trade restrictions.<sup>92</sup> Furthermore, it seems likely that the trust engendered by a conventicle gave Scottish smugglers a significant advantage over the local authorities tasked with putting an end to their traffic.<sup>93</sup> These binding oaths prefigured the oaths which would bind the Whiteboys to solidarity, though those of the Covenanters were much more explicitly religious and less purpose

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<sup>89</sup> Ibid., 58.

<sup>90</sup> Ibid., 59.

<sup>91</sup> For the geographical spread of Levellers in Scotland, see Andrew Charlesworth, ed., *An Atlas of Rural Protests in Britain 1548-1900*, (Philadelphia: University of Pennsylvania Press, 1983), 23-25, & 44-48.

<sup>92</sup> Wallace, 60-62.

<sup>93</sup> Ibid., 71. This traffic seems to have been predominantly barley, Irish agricultural products, whisky, brandy, and homebrew. The last of which was illegal, and the others subject to heavy taxation.



specific. However, Ireland did not have an analogous religious tradition. The experience of being a persecuted majority is common, but Catholicism itself does not follow the principle of the literal mediatory sovereignty of Christ which was essential to the moral economy of the Scottish Covenanters. Furthermore, even though the Covenanters and Whiteboys shared the practice of using oaths to bind their members, there was an intervening agrarian protest in Ireland which links the Whiteboys into an Irish tradition of rural insurrection.

### Houghers

Unlike either Covenanters or Whiteboys, the Houghers did not bind themselves with oaths of solidarity.<sup>94</sup> Their protest against enclosure lasted from 1711-1712, which makes them one of the first recorded instances of a modern subaltern movement in Ireland. The Houghing protests occurred in Connaught. In this context, trespasses against commonage can be viewed as a break with traditional rights. Like the Galloway Levellers, the Houghers were led by elite families at first, but also had their own ideas about why what they were doing was justified. They were an agrarian society: the name 'Hougher' comes from their widespread practice of cutting the hamstrings of cattle and sheep being grazed on newly enclosed land in order to prevent the animals from being transported to market.<sup>95</sup> Like the Whiteboys, "they claimed to operate under the direction of a mythical leader."<sup>96</sup> The Hougher's leader was named "Ever Joyce," and he wrote petitions and threatening proclamations in order to communicate the Houghers

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<sup>94</sup> S.J. Connolly, "The Houghers," in *Nationalism and Popular Protest in Ireland*, ed. C.H.E. Philpin, (Cambridge: Cambridge University Press, 1987), 145.

<sup>95</sup> For the use of houghing in warfare, see *The Holy Bible*, trans., James Moffatt, (New York: Doubleday, Doran & Company, Inc., 1926), 249, "Joshua" 11:9. "Joshua treated them as the Eternal bade him; he hamstringed their horses and burned their chariots."

<sup>96</sup> Connolly, "The Houghers," 144.

demands.<sup>97</sup> The very fact that they were writing down their demands indicates the presence of educated elites in their ranks.

The reason for elite participation in the Hougher movement was that the local Catholic sub-gentry<sup>98</sup> had been participating in the practice of commonage with their own herds and flocks and felt just as wronged as the peasants did when Protestant landowners enclosed waste-land.<sup>99</sup> S.J. Connolly's chapter on the Houghers claims that the "gentlemen who supported [the Hougher's] campaign were motivated by paternalism, the [...] belief that the poor had a right to be protected from the unfettered operation of market forces".<sup>100</sup> As we shall see, paternalism played an important part in *rechtge*, and can also be inferred from Leveller demands that the poor be provided with fixity of commonage at the expense of the titled lords. However, paternalism does not tell the whole story. Even though paternalism played a role in the upper-class involvement in the Hougher movement, it is not a satisfying explanation of from where the peasants' notions of their rights came. Paternalism implies that it is the self-restraint of those in positions of power which protects the peasantry from depredations. The compulsion from below contained in the moral economic concept of *rechtge* must be developed, especially in the Irish situation where the Catholic nobility's hold on the land was already precarious.

*Rechtge* gave the peasantry an indefinite power over their lords, and this plus the lord's own self-interest insured that the Houghers were a movement which contained

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<sup>97</sup>Ibid. Ever Joyce had a counterpart in the Whiteboys' *Sive Amhaltach*, or 'Queen Sive.'

<sup>98</sup> Kevin Whelan uses this term for the few Irish Catholics who were able to either retain or regain some level of power in the face of the legal regime which disinherited and disenfranchised Catholics as a class. See his *The Tree of Liberty*, chapter one, passim.

<sup>99</sup> Connolly, "The Houghers," 152.

<sup>100</sup> Ibid., 159.

both the upper and lower classes of rural Connacht. The contest carried on in the difficult winter of 1711-12, “the antagonism between grazier and small cultivator,” was a familiar source of discord in Ireland, and would recur throughout the eighteenth, nineteenth, and early twentieth centuries.<sup>101</sup> However, the foundering Catholic gentry increasingly found themselves either less interested in or on the other side of this antagonism during the eighteenth century. Even if we cannot always say precisely what the small-farmers, tenants, and peasants thought *rechtge* entailed, we can say that its terms were utilized.<sup>102</sup> The peasants had their own views of why their subversive actions were justified, and these sentiments were successfully mobilized fifty years later when the Whiteboys began their insurrection in Tipperary.

### Rechtge

The term *rechtge* is useful for thinking about the morality and legality of Ireland over time. According to D.A. Binchy’s legal glossary appended to his translation of *Críth Gablach*,<sup>103</sup> “**Rechtge** seems to be used as a general term for all the law in force in a given jurisdiction [including] the traditional customary law”.<sup>104</sup> The customary law aspect of *rechtge* seems to be the very essence of Thompson’s theory of moral economy. However, *rechtge* goes beyond moral economy because in *rechtge*, traditional feelings about reciprocal obligations could be enforced by the peasants themselves—*rechtge* allowed the poor to legally assert what they viewed as their customary rights. The following discussion of the reciprocity inherent in both the positive and normative

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<sup>101</sup> Ibid., 160. See Whelan, *Tree of Liberty*, 3: “Throughout the eighteenth century, land in Ireland remained stubbornly a political issue, not just an agrarian or economic one.”

<sup>102</sup> Connolly, “The Houghers,” 162.

<sup>103</sup> “The Branched Purchase”, a tract on the hierarchy of Irish society, a schematic of property requirements of the various strata, and an account of the limited ways in which people could move from class to class.

<sup>104</sup> *Críth Gablach*, ed. D.A. Binchy, (Dublin: The Stationery Office, 1941), 104.

aspects of Irish *rechtge* will be essential for constructing the moral economy of the Whiteboys—a group composed almost entirely of clients and tenants-at-will who historically had been afforded at least some measure of protection under early Irish law, but witnessed that protection’s progressive erosion as the Gaelic lords were driven off of their land. *Rechtge* therefore signifies the kernel of Irish traditional or customary rights underlying the Whiteboys’ moral economy.

To flesh out Binchy’s definition of *rechtge*, we should delve into the relationship between lord and client in early Irish law. Fergus Kelly’s *A Guide to Early Irish Law* is a helpful starting point. Kelly tells us that, in the *Senchas Már*,<sup>105</sup> “power in the lord/tenant relationship is felt to reside primarily in the hands of the lord. But in spite of his superior position, the lord is expected to deal justly with his clients.”<sup>106</sup> According to the *Senchas Már*, there is a two-way relationship inherent in the social structure by which land is allocated. The legal term for a transgression of this relationship was *gúbreth*. “If a lord makes an unjust decision (*gúbreth*) against his client, the client is entitled to leave him.”<sup>107</sup> There was even a tract dedicated to these kinds of transgressions: “*Gúbretha Caratniad* states that the honour-price of a lord is extinguished if he has failed to fulfill his side of the contract with a client.”<sup>108</sup> The loss of honor-price—*enech*—in early Irish society was tantamount to losing legal standing. Without an honor-price, a person could not bring lawsuits, demand sick-maintenance, or make a binding contract. The honor-price was highly stratified; the honor-price of a

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<sup>105</sup> “Great Tradition”, a compilation of Irish jurisprudence believed to have been first written down in the 8th century.

<sup>106</sup> Fergus Kelly, *A Guide to Early Irish Law*, (Dublin: Mount Salus Press Ltd., 1988), 27.

<sup>107</sup> *Ibid.*, 27.

<sup>108</sup> *Ibid.*, 27.

lord—*flaith*—dwarfed that of a commoner—*bothach/fuidir*.<sup>109</sup> A servant's own honor-price was ascertained only as a fraction of their master's. A larger honor-price granted an individual more freedom under the law, but the stratification of honor-price also meant that a noble had much more to lose by transgression than a commoner or servant.

Besides this admittedly hierarchical method of guaranteeing justice, there was at least one other legal tool which the early Irish client could use against his lord. “[E]arly Irish law uses the practice of fasting (*trosend*) against a person of high status to pressurize him into conceding justice.”<sup>110</sup> Since honor-price was contingent upon social standing, a commoner could use a hunger strike as a threat against a lord's reputation in order to force him to bring their demands before a court of law. But a fast was not merely an abstract attack against a lord's reputation. “A *nemed* [person of high rank] who holds out against a justified and properly conducted fast [...] loses his entitlement to be paid for any offenses committed against him. In effect, he is deprived of his legal rights in society.”<sup>111</sup> Since their erstwhile lord was now of a lower legal standing than themselves, it would be easy to infer that once a lord lost his *enech* his clients could take this as an opportunity to get justice on their own terms.<sup>112</sup>

Fergus Kelly's scholarship has also granted us access to an eighth century advisory poem written by Morann, a respected judge, to the young king Feradach. In

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<sup>109</sup> *Críth Gablach*, 83.

<sup>110</sup> Kelly, 183. Recent history has attested to the lasting impact of this particular weapon.

<sup>111</sup> *Ibid.*, 183.

<sup>112</sup> My conjecture here is surely a case of the historian's yearning to be a storyteller. But, following Hayden White, aren't all histories stories by dint of being narrativized? Hayden White, *Metahistory: The Historical Imagination in Nineteenth Century Europe*, (Baltimore: The Johns Hopkins University Press, 1975).

*Audacht Morainn*, the new king is lectured on the principle virtues of a good ruler.<sup>113</sup> Besides the platitudes on justice and wisdom which are to be expected from such a poem, Morann instructs Feradach on the importance of reciprocity. He says “let him give any reciprocal service which is due from him, let him enforce any bond which he should bind”.<sup>114</sup> The implication is that there will be services which are required of even the king, and that these bonds of reciprocity should not be broken. In the next stanza, Morann is even more explicit. “Tell him, let not rich gifts or great treasures or profits blind him to the weak in their sufferings (*lit.* of sufferings).”<sup>115</sup> This is an emphatic exhortation for a ruler to remain attuned to the difficulties assailing the common people. The ‘gifts’ could refer to an attempt by the nobles to win the king’s favor, and use him as a means of circumventing the loss of their honor-price for transgressing against their clients. This cannot be allowed if Feradach is to rule for long. The suffering of the weak must be acknowledged and redressed to ensure stability and prosperity. Morann also reminds Feradach that “he whom the living do not glorify with blessings is not a true ruler,” which recalls the importance of reputation in Early Irish society.<sup>116</sup> However, it also serves as a warning: if Feradach does not earn the respect of all his subjects, then his very title to kingship is forfeit.

Morann’s advice to Feradach suggests the importance of reciprocity in the Irish discourses on sovereignty. However, early Irish law is a difficult subject matter to study comprehensively due to the protean nature of law in ancient and medieval Ireland. Alongside the many contradictions and syntheses in oral and written legal codes were

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<sup>113</sup> *Audacht Morainn*, ed. Fergus Kelly, (Oxford: Oxford University Press, 1976). The resonance with Aristotle’s *Nichomachean Ethics* and *Politics I* is palpable throughout. See especially pages 8 & 9, § 24.

<sup>114</sup> *Ibid.*, 11, §30.

<sup>115</sup> *Ibid.*, §31.

<sup>116</sup> *Ibid.*, 19, § 59.

regional variations in custom and habit.<sup>117</sup> A further complication for studying early Irish law is the fact that the Irish laws existed alongside Norman and English law up until the seventeenth century.<sup>118</sup> Therefore, it would be misleading to speak of a single legal system in operation over the entirety of Ireland. This is precisely why *rechtge* is so useful for studying the Whiteboys. *Rechtge* entails the particular traditional or customary rights along with the codified law of a given locality. This fluidity will help us to understand the moral economy of the decentralized Whiteboys.

### Food Riots

*Rechtge* gives us a sense of the tradition from which the Irish moral economy can be derived, but there were at least two immediate reminders for the Irish poor of the urgency of asserting their rights. The first was the 1740-41 Great Frost, or *An Blían an Áir*, which killed many Irish tenants in south-eastern Ireland and drove those who remained away from growing oats and barley as cash crops.<sup>119</sup> Instead, potato cultivation intensified as a staple food source, and the rural poor relied more and more on this subsistence crop and supplemented their income by selling cow and pig products for cash.

During this ‘Year of Massacre’ there were food riots throughout Ireland, but these did not have the duration nor did they receive the attention of the Whiteboy activities twenty years later. Furthermore, the riots during the Famine of 1740-41 were also likely

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<sup>117</sup> *Críth Gablach*, xii.

<sup>118</sup> For the Norman and English disdain towards Irish law, see *Irish Historical Documents: 1172-1922*, Curtis & McDowell, eds., 52-58 & 126-127.

<sup>119</sup> For the seriousness of this famine, see James Kelly, “Coping with Crisis: The Response to the Famine of 1740-41,” *Eighteenth-Century Ireland / Iris an dá Chultúr*, Vol 27 (2012): 99-122, Accessed 12 December 2016, <http://www.jstor.org/stable/24389559>.

eclipsed in the minds of many elites by the 1745 Jacobite Uprising.<sup>120</sup> It is difficult for the modern historian to trace any genealogy of ideas among Ireland's rural poor due to the fact that not only were the majority of them illiterate, but they did not even speak English.<sup>121</sup> Nevertheless, inference from *rechtge* gives us a sense that they were fiercely aware that the gentry's position was not merely one of privilege: their power was dependent on protecting their clients.

The riots were short lived and localized which also contributed to the characterization of Ireland as a docile nation in the years between the Williamite invasion and the beginning of the Whiteboys' protests.<sup>122</sup> However, beginning in 1740, the Irish poor exhibited a tradition of food rioting which indicates that they had a strong sense of their moral economy.<sup>123</sup> The rioters broke into "baker's and mealmen's shops" and stopped boats loaded with goods destined for export in Dublin, Galway, Youghal and Munster in general including the cities of Limerick, Waterford, and Carrick-on-Suir throughout 1740-1.<sup>124</sup> These riots provide evidence of the persistence of *rechtge*, or at the least its moral economic aspects.

According to Thompson, food rioting informed by moral economy can be perceived right up to the eve of the Whiteboy insurrection. "Women were reported as rioters in Wexford in 1757 and in 1758" the poorer residents of Sligo appropriated a Dutch corn shipment and sold the contents at market for what they believed were fairer

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<sup>120</sup> See S.J. Connolly, "Jacobites, Whiteboys and Republicans: Varieties of Disaffection in Eighteenth-Century Ireland," *Eighteenth-Century Ireland / Iris an dá Chultúr*, Vol. 18 (2003): 63-79, Accessed 5 September 2016.

<sup>121</sup> R.B. McDowell, *Ireland in the Age of Imperialism and Revolution: 1760-1801*, (Oxford: Clarendon Press, 1979).

<sup>122</sup> Like the picture of lowland Scotland which Valerie Wallace disproves. See also *A Candid Enquiry*, 25.

<sup>123</sup> E.P. Thompson, *Customs in Common: Studies in Traditional Popular Culture*, (New York: The New Press, 1993).

<sup>124</sup> *Ibid.*, 295.



prices.<sup>125</sup> One reason which Thompson gives for why these riots have not received the attention they deserve is that “food rioters had less “political” clout in Ireland, since they did not threaten in the same direct way the stability and “face” of a resident governing gentry”.<sup>126</sup> As we have seen, redress for breaches of *rechtge* relied heavily on sanctions based on loss of face—*enech*—especially *trosend* and *gúbreth* trials. However, the Whiteboys’ protests demonstrate that even if the Protestant gentry were less sensitive to the moral economy of Ireland’s peasantry than the Gaelic lords had been, the peasantry did not let go of what they believed to be their traditional rights. The Famine of 1740-41 caused the rural poor to become painfully aware of the fact that their position was precarious because their moral economy no longer corresponded to the law. This precariousness was likely proved to the Whiteboys by another recent, and ongoing, injustice: *The Distress for Rent Act, 1751*.

### Distress

In the 1750s, the enclosure of common land was depriving rural tenants of their ability to earn money and grow food when *The Distress For Rent Act, 1751* made it simultaneously easier for landlords to enforce the collection of rent. Distraint is a legal procedure by which a debtor’s goods are seized and sold to pay his or her debts. Distraint was instituted in early Irish law, but the institution was complex and involved lengthy grace periods and a prohibition on distraining certain properties which were deemed essential to someone’s survival. Fergus Kelly reminds us that it was “an offense to distraint in defiance of a postponement.”<sup>127</sup> Pregnant animals or cows giving milk

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<sup>125</sup> Ibid.

<sup>126</sup> Ibid., 296.

<sup>127</sup> Kelly, *Early Irish Law*, 183-184.

could never be distrained, and neither could farming implements.<sup>128</sup> *The Distress for Rent Act* was passed by the Irish Parliament for the purpose of “making more effectual the laws relating to Landlord and Tenant”.<sup>129</sup> ‘Effectual’ meant to make distraint easier, and the act undermined the aspect of *rechtge* which applied to a more personal or informal collection of rent.

After 1751, landlords could confiscate their tenant’s property and thereby force the payment of rents in arrears for all agreements either verbal or written at any time, whether the rent was for raw land or a domicile. Furthermore, “all distresses lawfully taken for any such rent or arrears of rent shall, unless redeemed within eight days after the same shall be distrained as aforesaid, be sold by publick cant to the highest and fairest bidder”.<sup>130</sup> Tenant Farmers who paid their rent in crops or by selling crops were unlikely to be able to raise the necessary money in the new time frame. Although the Act allowed tenants to sue in order to gain their possessions back, it only gave them eight days to do so, and they had to pay the price which the landlord had set on the object or outbid competitors at auction. Distraint under *rechtge* gave the defendant up to a month, which could be extended by court order or agreement, and the value of the items distrained was determined by the judges not the plaintiffs.

The proceeds of the distrained property would go towards paying the debt owed. After the new *Distress for Rent Act*, the pricing was entirely left to the landlord’s discretion or the whims of the auction, and “such value shall not be afterwards

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<sup>128</sup> Ibid., 184-185.

<sup>129</sup> *The Distress for Rent Act, 1751*. Oireachtas: Electronic Irish Statute Book, 2007. Accessed November 7, 2016, 1. <http://www.irishstatutebook.ie/eli/1751/act/13/enacted/en/print.html>.

<sup>130</sup> Ibid., 3.

questioned in any court of law or equity”.<sup>131</sup> This provision barred tenants from suing after their property had been sold, which further allowed landlords to sell a potentially vitally valuable object for much less than use or market value. Furthermore, there was no incentive for the landlords to get a fair price because “overplus, after deducting thereout all necessary expenses attending the taking and selling the said distress, shall be paid over to the person and persons from whom such distress and distresses shall be taken.”<sup>132</sup> If more than was owed to the landlord was earned from the sale of the items in distraint, then that money had to go back to the tenant. It was in the landlord’s best interest to sell his tenant’s belongings—and many of them—for less than or precisely equal to the amount of rent in arrears, even if he had already ejected the tenant in question.<sup>133</sup> Eviction for failure to pay was also incentivized because a landlord could negotiate an increase in rent with a new tenant to the detriment of the old one.

### The Beginning

The *Distress for Rent Act* was the last straw for the Irish peasantry. They could not afford to pay both their rents to the landlord and tithes to the established Anglican church. They were already barely subsisting by farming on communal ground, their rights to which the landlords had been steadily transgressing against through enclosure. This new act of parliament made it possible for creditors to expropriate what few goods they possessed in order to force back-taxes, tithes, and rent out of them. Together, these iniquities represented a serious transgression against *rechtge*, and a powerful moral economic reason for the peasantry to initiate a defensive insurrection. Although the

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<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> See Old Thaddy’s account of property confiscation in Maria Edgeworth’s, *Castle Rackrent*, (New York: W.W. Norton & Company, Inc., 1965), 5-6.

Levellers may have developed their grievances beyond ‘local matters’ into a philosophy, the absence of written documents in no way indicates that the Whiteboys did not have their own private theories as to why what they were doing was legitimate. In fact, this historical context suggests that they did have a complex of ideas as to what constituted legitimate, and illegitimate, means of redressing their grievances. By 1761, a redress seemed necessary to the rural poor.

Irish *rechtge* shows us how important reciprocity was, and the gentry’s failure to uphold that reciprocal relationship sparked a serious challenge to specific members of the gentry’s tax-collection and enclosure schemes in rural Ireland. Late in 1759, agrarian disturbances were reported in Munster,<sup>134</sup> but the first actions which are identifiable as those of ‘Whiteboys’ appear in County Tipperary in 1761 “when groups of men assembled by night to level the ditches which landlords and graziers had erected around the commons”.<sup>135</sup> The Whiteboys’ membership spread at least to Cork, Limerick, Kilkenny and Waterford, and by 1762 was rumored throughout the surrounding counties of Wexford, Clare, Galway, Laois, and Carlow.<sup>136</sup> These counties contain some of Ireland’s most fertile farmland, and their fertility was precisely the reason why the practice of enclosure arrived there first.

Most of the Whiteboys’ actions were limited to the redress of localized grievances, but the common themes of commonage and anti-tithe were a constant in their instantiations. These twin grievances were as close as the Whiteboys got to theorizing their insurrection, which left them open for interpretation. Elites tended to perceive the fight against enclosure as an attack on the property rights of landlords, and the demand

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<sup>134</sup> The same area affected by heavy rioting throughout *An Blían an Áir*.

<sup>135</sup> Wall, 13.

<sup>136</sup> See Appendix 2.

for an amelioration of tithes as an existential threat to the Anglican church. However, unlike the Levellers and the Diggers, the Whiteboys did not demand a full abolition of tithes. Furthermore, many of the graziers enclosing lands were not Protestant landlords, but were rather members of the re-emerging Catholic 'sub-gentry.'<sup>137</sup> Catholic priests charging exorbitant marriage fees were also liable to feel the Whiteboys' ire. These two facts show that the Whiteboys were not Catholic proto-Nationalists. However, those who wrote about them—the literate gentry—considered them a dangerous threat. For the Protestant gentry, the Whiteboys represented not an assertion of traditional rights, but rather a continuance of Jacobitism clothed in populism. According to this view, the Whiteboys were not a group defending their native liberties; they were the forerunners of a sinister foreign invasion.

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<sup>137</sup> Whelan, *The Tree of Liberty*.



The View From Up Above

*"The invision of Indelond." (Finnegans Wake, p. 626, ln. 28).*

The peasantry's belief in a moral economy worth defending is strongly suggested by the foregoing examination of insurrectionary and rebellious groups. Ireland's own particular tradition of moral economy has been glossed by the term *rechtge*—a combination of traditional and customary law allowing for pressure from below a legitimate method of enforcing reciprocity—and we now have a fairly strong sense of the historical development of the moral economy of Ireland's Whiteboys. We can now turn to contemporaneous accounts of the Whiteboys' actions. However, most of the evidence for the Whiteboys' aims and actions is filtered through the lenses of the Protestant gentry. Even the few words coming from the Whiteboys' own mouths are published by presses controlled and edited by the Protestant elite.<sup>138</sup> Due to the difficulties presented by this disjointed historical record, this chapter will take the form of a highly detailed annotated bibliography which interrogates each source individually and systematically. Nevertheless, by cross referencing and reading negatively the various tracts published

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<sup>138</sup> For more on the difficulties of working with eighteenth century Ireland's press, see Thomas P. Power, "Publishing and Sectarian Tension in South Munster in the 1760s," *Eighteenth Century Ireland / Iris an dá Chultúr*, Vol. 19 (2004): 75-110, accessed 2 February 2017, <http://www.jstor.org/stable/30071020>. For Irish elite opinions in Gaelic, see Vincent Morley, *Irish Opinion and the American Revolution, 1760-1783* (Cambridge: Cambridge University Press, 2002).

on the subject of Whiteboyism, a few common narratives emerge.<sup>139</sup> First, the twin grievances of tithes and enclosure are affirmed again and again. Second, the Whiteboys' geographic distribution is confined almost exclusively to Munster until the 1770s, when 'Whiteboy-like' groups begin to appear across the other three provinces of Ireland. Third, their membership appears to be strictly limited to the subaltern classes—although Father Nicholas Sheehy, and the anxieties his radicalism provoked, is the exception which proves this rule. Finally, the distinction between insurrection and rebellion remains a contentious question among the Protestant elites. This contention is evidence for the fact that even though the Whiteboys did not achieve legislative change in their favor, they did cause at least some of the Protestant elites to pause and notice the ruinous nature of their governance over the Catholic peasantry.

Most of the sources, such as the Protestant pressman John Exshaw's *The True Friends of LIBERTY*, which appear in the following pages depict the Whiteboys as an insurrectionary rabble; they are not treasonous, only misguided. Some sources are even surprisingly sympathetic to the Whiteboys' cause, such as *An Alarm, A Candid Enquiry*, and Campbell's *Philosophical Survey*. These tracts were written in the 1760s and 1770s to assuage the widespread fear that the Whiteboys represented a Jacobite plot, or a sinister Catholic conspiracy. This fear originated in part from the fact that the Whiteboys' protests began during the Seven Years War.<sup>140</sup> At the time, a French invasion through Ireland seemed like a very real threat.<sup>141</sup> The fear of a Jacobite cell in Ireland was also stimulated by the Jacobite risings in Scotland in 1715 and 1745. Furthermore,

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<sup>139</sup> Guha, "The Prose of Counter-Insurgency."

<sup>140</sup> The assertion that William Fant, a Protestant lawyer from Limerick, was the instigator of the first Whiteboy protests may undermine this view but his involvement was fleeting. See <http://www.fantstowncastle.com/thefants2.html>.

<sup>141</sup> Interestingly, this fear prefigured the format followed by Theobald Wolfe Tone and the Society of United Irishmen in 1798. I am grateful to Professor Staunton for this observation.

the Whiteboys' name accidentally identified them with the Jacobite cause because the color of house Stuart was white.<sup>142</sup> With hindsight, it is easy to dismiss these fears of Jacobitism and French invasion; we know that the Whiteboys were a peasant group led by their own impetus to defend their moral economic rights and uphold their conception of *rechtge*. However, in the early 1760s, the threat seemed very real, and in need of an urgent response.

This response came. The intervention of the armed forces in 1762, the 1763 *Riot Act*, and *A Proclamation* in 1764, attempted to assert the sovereignty of the Irish parliament. Each assertion at first appeared to succeed, but Whiteboy activity consistently reappeared until the relatively tranquil period lasting from 1767 to 1769. In the 1770s, Whiteboy splinter groups began across Ireland, and the *Tumultuous Risings Act, 1775* extended the power of the *Riot Act* in an attempt to suppress these practitioners of Whiteboyism. The Oakboys had been a problem since the early 1760s in Ulster, but in 1769 the agrarian unrest in that province was intensified by the Hearts of Steel. The Liberty Boys rose to prominence in Leinster from 1763 onwards, and Whiteboyism spread from Munster to Connaught with the help of the Rightboy organization in the 1780s.<sup>143</sup> Both Dominick Trant and Arthur O'Leary published tracts against the White/Rightboys which are decidedly less sympathetic than earlier tracts, which is especially interesting because O'Leary was a Catholic priest.

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<sup>142</sup> Whelan, *Tree of Liberty*, 35.

<sup>143</sup> See Maurice J. Bric, "Priests, Parsons and Politics: The Rightboy Protest in County Cork, 1785-88," in C.H.E. Philpin, ed., *Nationalism and Popular Protest in Ireland*, (Cambridge: Cambridge University Press, 1987), 163-190, for more on the Rightboys, their similarities and differences from Whiteboys. Also, James S. Donnelly, Jr. & James J. Donnelly, Jr., "The Rightboy Movement 1785-8," *Studia Hibernica*, No. 17/18 (1977/1978): 120-202, accessed 5 September 2016, <http://www.jstor.org/stable/20496124>, for the importance of agrarian 'rebellion' in rural Ireland.



These sources build on each other; they are cumulative insofar as they give us a picture of Whiteboyism's development over time. The later agrarian redresser movements described by Exshaw, Campbell, Trant, and O'Leary took their cue from the Whiteboy protests, and the groups shared several common features. First, they were all oath-bound societies. Second, their aims appear to have been insurrectionary in scope. Finally, the twin grievances of tithes and enclosure were common to all five of these groups. The elite's accounts of the Whiteboys' actions, and the legislation aimed against them, gives us a counterpoint to the moral economy of the Irish peasantry. A roughly chronological examination of these accounts and the legislation aimed at curbing Whiteboyism illustrates that the Whiteboys' protests developed into a challenge against the existing legal order and the gentry's hegemony on sovereignty in ways which the Whiteboys themselves may not have anticipated. A close analysis of each source reveals the development of the gentry's ideas about what the Whiteboys are doing and why they are doing it. Over the course of this analysis the common themes of insurrection, anger over enclosure, resentment of middlemen, solidarity using secret oaths, and a demand for reciprocity suggest themselves as prominent aspects of the Whiteboys' moral economy.

### So Many Questions

In 1762, *An Alarm to the Unprejudiced and Well-minded PROTESTANTS of IRELAND: Or, Seasonable QUERIES Upon the Rise, Danger, and Tendency, of the WHITE-BOYS.* was printed and circulated in Cork. Despite its title, the *Alarm* was an attempt to calmly and rationally think through the instances of Whiteboy activity which had proliferated over the previous year, and to this end took the form of rhetorical *QUERIES* for all

Protestants who wished to rise above sectarianism. Part of the difficulty of this source is that it says little, yet asks a lot. However, it is one of our first glimpses into the public reaction to the Whiteboys, or as they are known at the time ‘Levellers.’

One of the fears of Ireland’s Protestants was the fact that so few Whiteboys were being convicted in courts of law due to a lack of evidence given against them. In ‘Query XII’ the anonymous author of *An Alarm* asks his Protestant audience

Would it have been safe for the Roman Catholicicks, defenseless and unarmed as they were, to have exposed themselves by Prosecutions and Informations against the Levellers, to the Resentment of an unruly and riotous Rabble, whilst the Magistrates and Protestants of Power, lay by, and seemed to despise them?<sup>144</sup>

This question is used to refute the fears of a pan-Catholic conspiracy, and to illustrate that the discrimination practiced by Protestants actually reinforces Catholic solidarity. If the Protestants wish to have Catholic informers in an intelligence network among the masses, then they must first demonstrate that the Protestant magistrates are on the side of the laboring poor.

To further allay fears of a Popish Plot, the author states that leaders of the Catholic community have been outspoken against the Whiteboys. ‘Query XXIII’ asks “Did not the Superiors of the Roman Catholick Clergy exert themselves against these Levellers” before the Protestants were even aware of the Whiteboys as a problem?<sup>145</sup> The rhetorical question indicates that they had indeed.<sup>146</sup> These questions interpret what is happening in Munster not as a widespread rebellion against English authority in general, but rather as a localized set of outrages easily remedied by incremental

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<sup>144</sup>Anonymous, *An Alarm to the Unprejudiced and Well-minded PROTESTANTS of IRELAND*, 7. This source is one of many which insists that we are talking about a species of Leveller called ‘Whiteboy’.

<sup>145</sup> Ibid.

<sup>146</sup> Though their exertions to this effect are not recorded until after 1770. See O’Leary below 82-82.

adjustments handed down by the legislature. Most importantly, *An Alarm* rejects the imputations of Jacobitism, and refutes fears of an invasion of Ireland engendered by the ongoing Seven Years War in ‘Query XIV’. “[D]oes it appear that a *Rebellion* was by any Means intended by [the Whiteboys], as far as that is understood to signify a Design to subvert the established Constitution in Favour of the *Pretender*, a *foreign Enemy*, or *another form of Government?*”<sup>147</sup> In the author’s opinion, no. There was no attempt to overthrow George III’s government in Ireland, either by establishing the Old Pretender, the King of France, or inaugurating their own republic.<sup>148</sup>

‘Query XVII’ sets out a very limited view of what the Whiteboys’ aims and origins might be. All possibility of rebellion is foreclosed, because “the only Principle these Wretches set out upon, was to redress themselves in the Grievances, and Oppressions, which they suffered, or pretended to have suffered, as well from Roman Catholick, as from Protestant Landlords, and Landholders”.<sup>149</sup> It is reiterated that the Whiteboys acted against Catholics as much as against Protestant elites—anyone who transgressed against what the Whiteboys viewed as their rights was a fair target. However, we do not learn any details about this from *An Alarm*. Instead, we get a long list of what the Whiteboys are not. For example, we are told about “the shameful and scandalous Robbery of the Cathedral Church of *Cashel*”, which was “laid at the Door of the Levellers” but turned out to have been perpetrated by some others who “were discovered not to have been Levellers, nor even Papists”.<sup>150</sup> This impugnement of the Catholics seems to have been systematic, as it emerges in ‘Query XXIII’ that “the same happen[ed]

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<sup>147</sup> Ibid.

<sup>148</sup> Even if the Whiteboys were not undertaking a rebellion, an attempt to implement *rechtge* may have indeed been countenanced.

<sup>149</sup> Ibid., 8.

<sup>150</sup> Ibid., 9-10.

in *Kilkenny* and *Waterford*, when the Doors of the Protestants were villainously marked upon Good Friday Night”.<sup>151</sup> The author of *An Alarm* suggests that the divide between Catholics and Protestants has been made to fester by the actions of disingenuous Protestants who would have discord in the kingdom of Ireland, and therefore the real sectaries are not the Whiteboys but the prejudiced Protestants themselves.

Even if what informants there are have claimed that the Whiteboys form a rebellious cell, no evidence has yet emerged besides the informants’ claims. ‘Query XXXI’ puts a fine point on the lack of plausibility for a Whiteboy rebellion. “What Condition could such vile Wretches as the Levellers mostly consist of, be in to rebel, or to disturb the Government without Arms, without Support, without Leaders, without Discipline?”<sup>152</sup> There is no aspect of the structure of a revolutionary society recognizable amongst the Whiteboys. They do not follow any of these normative patterns of rebellion. According to *An Alarm*, they have not pledged allegiance to a foreign king, they are not overthrowing the top-down hierarchy of Dublin, and they are not organized with leaders of their own whom they wish to have replace those who are already in charge.

#### For ‘True’ Liberty

The sense that the Whiteboys are not a rebellious group of murderous papists became more widespread over the subsequent year. However, the understanding that they are self-actuated by a sense of their legitimate traditional rights does not emerge yet. A tract printed in Dublin by John Exshaw<sup>153</sup> called *The True Friends of LIBERTY: To the*

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<sup>151</sup> Ibid., 10.

<sup>152</sup> Ibid. However, the dying declarations of the men accused of being Whiteboys will demonstrate that the Whiteboys did in fact have leaders and discipline. See 112-120

<sup>153</sup> Dictionary of Irish Biography Article of John Exshaw, Accessed 1 December 2016, <http://dib.cambridge.org/viewReadPage.do?articleId=a2976-A&searchClicked=clicked&quickadvsearch=yes#A>.

*WHITE-BOYS of the South, the OAK-BOYS of the North, and the LIBERTY-BOYS of Dublin.*, first appeared in 1763 and espoused the opinion that the Whiteboys are merely a misguided rabble devoid of a rebellious scheme. Their only scope is a redress of their private grievances. This tract is the first to differentiate between factions of Whiteboyism.<sup>154</sup> However, it gives us little historical evidence as to who these differentiated groups were, and prefers to give a lengthy philosophical enquiry as to the nature of liberty. This tract on liberty is therefore mostly important only insofar as it provides an insight into how the Whiteboys' protests were perceived in relation to the constitution of Ireland.

Exshaw sets himself, and the other authors of *True Friends* against the Whiteboys, Oak-Boys, and Liberty Boys. He emphasizes the latter's delirious and false perception of liberty: "*Countrymen, Fellow-Citizens!* There are several among us who are true lovers of LIBERTY [...] yet who greatly disapprove of your present Excesses."<sup>155</sup> Although Exshaw conjures the community which he and the Whiteboys share, he rejects their methods. He claims that because the Whiteboys are in a state of resistance, they do not possess an understanding of the nature of liberty. The fact that "You arrogated all Power to your own Hands," means that tumult and riot will be the constant condition of the Whiteboys.<sup>156</sup> Peace and justice cannot be had without the steady guiding hand of a sovereign. If the Whiteboys had brought their grievances to a court of law, justice would already be theirs. Instead, the Whiteboys have

broke open your [own] houses; demolished the Instruments of your Trade;  
cut the products of your Industry and Ingenuity to Pieces, violently seized

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<sup>154</sup> Although later sources suggest that Oak-Boys proper did not emerge until 1764.

<sup>155</sup> John Exshaw, *The True Friends of LIBERTY: To the WHITE-BOYS of the South, the OAK-BOYS of the North, and the LIBERTY-BOYS of Dublin*, (Dublin: Exshaw in Dame-Street, 1763), 2-3.

<sup>156</sup> *Ibid.*, 5.

and abused your Fellows; dragged some through the Mire; and hanged up others, without Examination, Trial or Hearing.<sup>157</sup>

Exshaw is attempting to set these outrages, which he attributes to the Whiteboys, against the supposed justice of the government. However, he fails to realize that this list of atrocities are precisely the governmental language of violence against which the Whiteboys are rioting, as exemplified by *The Distress for Rent Act, 1751*.<sup>158</sup> Furthermore, the legal system did not work for the Whiteboys anyway because Catholics were legally disadvantaged in the courts of law.

The reason why Exshaw believes that the Whiteboys are acting as a foolish rabble is because he thinks that society should only provide freedom from. He claims that “LIBERTY can only lie where All are restrained from doing Injury to Any”.<sup>159</sup> Transgressing the law is thus an oppression in Exshaw’s view. By repressing the rights of landlords to enclose commonage, curtailing the tithes of the Clergy, and preventing fellow-tenants from taking other tenants’ leases, the Whiteboys are trespassing the very rights of man.<sup>160</sup> If the Whiteboys cannot accept this, then they are declaring themselves to be unworthy of a country, or a constitution, let alone the kind of liberty which Exshaw believes that they seek. However, by working from our historical understanding of the Whiteboys’ moral economy, we can infer that their response to Exshaw might be that the law itself has in fact transgressed against their ‘liberty.’<sup>161</sup>

*True Friends* gives us a representation of a few features common to Whiteboyism, at least as it is apprehended by the elites in Dublin. “New Oaths are

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<sup>157</sup> Ibid., 5-6.

<sup>158</sup> Furthermore, Exshaw is unaware that the Whiteboys have their own positive vision of what liberty and legality should entail, as exemplified by the concept of *rechtge*.

<sup>159</sup> Ibid., 8.

<sup>160</sup> Ibid., 9.

<sup>161</sup> It would certainly be wishful thinking to argue that the Whiteboys are rejecting Exshaw’s negative liberty in favor of positive liberty. At least at this juncture.

imposed; new Institutions dictated; new Threatenings denounced; and new Contributions raised; by Mobs who, themselves have cast off all Obedience”.<sup>162</sup> The Whiteboys are organized, more so than when they first formed in 1761, through the use of binding oaths<sup>163</sup> according to Exshaw. They are now believed to have uniform oaths, a nascent treasury, and other institutions. Though they have thrown off obedience to the government, they command obedience from their constituents. In our terms, they have formed a parallel—but decidedly rural—governance for the purposes of enforcing *rechtge*.

In Exshaw’s opinion, the “People [have] wrest[ed] to themselves the Legislative Authority”, and their source of redress is unqualified men with a false understanding of what constitutes liberty.<sup>164</sup> Although Exshaw admits that power and law originate from the people, he does not think that they are legitimate repositories for these aspects of governance. Liberty is distorted by the direct will of the people, and “in order to prevent Confusion and total Anarchy, your Numbers make it necessary to depute the Framing of LAW and the Execution of POWER, to the Few whom you imagine to be best qualified for the Discharge of those important and popular Trusts.”<sup>165</sup> This deputation is the cornerstone of society for Exshaw. However, he does not consider the possibility that the Whiteboys were setting about choosing a new deputation which would better enforce the reciprocity inherent in *rechtge* and defend the rights enshrined in the Whiteboys’ moral economy. By being in a state of riot, the Whiteboys were demanding a change to the

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<sup>162</sup> Ibid., 11-12.

<sup>163</sup> Like the Scottish Covenanters.

<sup>164</sup> Ibid., 13.

<sup>165</sup> Ibid., 15.

ways in which the ‘deputation’ had been creating laws and exercising power.<sup>166</sup> The historical context from which the Whiteboys emerged suggests that they were not merely acting as a foolish rabble; they were attempting to right the wrongs which they perceived they had been suffering at the hands of a government which did not work for them—which did not govern in their interest.

### Legislative Repression

Evidence for the fact that the government did not work for the rural poor was given in 1763 with the passing of the *Riot Act* by the Irish Parliament in Dublin. The Irish *Riot Act* was issued in direct response to the Whiteboy uprisings. Rather than address the problems which the Whiteboys were rioting against, the government decided to instead repress the rioters. The *Riot Act* “impowered [...] every justice of the peace, sheriff, under sheriff, mayor, bailiff, and other head officer [...] to command all his Majesty’s subjects of age and ability,” in other words, it enabled them to institute a localized draft for the purposes of enlisting a militia to suppress the Whiteboys.<sup>167</sup> Furthermore, all those drafted for, or already engaged in, putting down Whiteboy activity, were indemnified. They “shall be freed [...] no prosecution whatsoever shall be had or carried on against such justices of the peace, sheriff, under sheriff, mayor, bailiff, head officer, or other person, or person so aiding or assisting as aforesaid, on account of any [...] maiming, or hurting” of Whiteboys.<sup>168</sup> Anyone’s actions against the Whiteboys, no matter how harsh, are sanctioned by law in the *Riot Act*. This act granted broad powers

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<sup>166</sup> For Edmund Burke’s interpretation of the iniquity of this deputation, see “On Irish Trade” in *Two Speeches on Conciliation with America and Two Letters on Irish Trade*, Henry Morley, ed., (London: George Routledge & Sons, 1886), 223-224.

<sup>167</sup> *Riot Act, 1763*, Oireachtas: Electronic Irish Statute Book, 2007, Accessed November 7, 2016, 2, <http://www.irishstatutebook.ie/eli/1763/act/19/enacted/en/print.html>.

<sup>168</sup> Ibid.



to the local constabulary in an effort to end the Whiteboys' insurrection, but it did not alleviate the problems of enclosure or tithes, and therefore could not put an end to the Whiteboys' protests in defense of their moral economy.

A year later, a second act was issued by the Dublin Parliament addressing the problem of Whiteboys, but again it failed to address the Whiteboys' problems. *By the Lords Justices and Council of Ireland, a Proclamation.* was issued in 1764. This proclamation named several individuals suspected of Whiteboy activity—specifically of participating in the Battle of Newmarket,<sup>169</sup> which took place on 29 September when Whiteboys assaulted a party of light horse bringing convicted Whiteboys to the gaol of Kilkenny—and offered a substantial reward for information leading to their capture.

if any Person or Persons shall, within the Space of Twelve Months from the date of this Our Proclamation, apprehend the said *Charles O'Donnell, Philip Aylward, Andrew Tobin, Richard Collins, Patrick Burke, Philip Phin, Edward Cody, James Gaffney, and Thomas Mangan*, or any of them, such Person or Persons shall receive the Sum of One Hundred Pounds for each and every of the said Persons<sup>170</sup>

The nine people named by the proclamation “have distinguished themselves by the name of *White Boys*,” and are considered dangerous criminals who must be brought to justice immediately.<sup>171</sup> One hundred pounds was a fortune at the time, enough money to live on comfortably for a year at the least.<sup>172</sup> Information actually linking these Whiteboys to Newmarket was even more valuable to the Dublin government:

Any Person or Persons [who] discover all or any of the Persons guilty of the said traitorous Murder and Rescue, committed at *Newmarket* on the twenty-ninth Day of *September* last past, so as he or they be apprehended and convicted thereof, such Person or Persons so discovering, shall receive

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<sup>169</sup> For verses written on the Battle of Newmarket, see Morley, *Irish Opinion and the American Revolution*, (Cambridge: Cambridge University Press, 2002), 49-50.

<sup>170</sup> *By the Lords Justices and Council of Ireland, a Proclamation.*, (Dublin: Boulter Grierson, 1764), 2.

<sup>171</sup> *Ibid.*, 1.

<sup>172</sup> See Nicholas Sheehy's income, 90. See also the wages for rural Irish laborers, 108-111.

as a Reward a Sum of Two Hundred Pounds *Sterling* for each and every of the first Ten of the said Persons, and Fifty Pounds *Sterling* for each and every of the others<sup>173</sup>

The Battle of Newmarket is an isolated instance of Whiteboys openly attacking the King's forces in Ireland. They contravened the judgement of Justice William Watts, and forcibly freed their fellow Whiteboys from custody.<sup>174</sup> This battle shows the Whiteboys attempting to undermine the existing government's decisions when they were perceived to be unjust, and forcefully legitimating their actions even in the face of the army. In response, the government offered an almost fantastical sum for their capture and conviction. However, the *Proclamation* did not address the problems which faced the Whiteboys, and there is no evidence that the exorbitant sum actually succeeded in securing the capture of any of the named Whiteboys.

This first wave of Whiteboyism persisted at least until 1767. They returned again in the 1770s, and Whiteboy-like actions continued almost until the Act of Union in 1800. The *Tumultuous Risings Act, 1775* gives us a glimpse into a few of these actions which were perceived to be particularly troubling by the Dublin government. Along with the traditional levelling of enclosures and threats against middlemen, the Whiteboys are claimed to have "carried away [his Majesty's subjects'] horses and arms, and have compelled them to surrender up, quit, and lease their habitations, farms, and places of abode".<sup>175</sup> Whiteboyism appears to be arming itself, and going directly against the penal codes which prevented Catholics from owning weapons or horses. Furthermore, the ongoing insistence that leases be given at fair prices, and that old tenants be given

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<sup>173</sup> Ibid., 2.

<sup>174</sup> Ibid.

<sup>175</sup> *Tumultuous Risings Act, 1775*, Oireachtas: Electronic Irish Statute Book, 2007, Accessed November 7, 2016, 2, <http://www.irishstatutebook.ie/eli/1775/act/21/enacted/en/print.html>.

preference—a moral economic right—is interpreted by the government as a threat to the institution of property ownership. Interestingly, the *Tumultuous Risings Act* also says that the Whiteboys “have taken upon themselves to obstruct the exportation of corn, grain, meal, malt, and flour, and to destroy or damage the same when intended for exportation”.<sup>176</sup> This is an almost definitional defense of the moral economy as laid out by E.P. Thompson.<sup>177</sup> The prevention of export in favor of selling at fair prices at home is the classic example of the peasantry attempting to institute a para-legal system which will work for them rather than merely allowing the fluctuations of the market to dictate their livelihood.

The *Tumultuous Risings Act* reinforces many of the penalties included in the *Riot Act*, and further extends indemnification for those who are involved in subduing the Whiteboys. It also extends the death penalty to several Whiteboy activities. One such activity is to “knowingly send any letter with or without any fictitious name or names thereto subscribed”.<sup>178</sup> We can be fairly certain that this is a stricture against Sive and the other figures like her to which the Whiteboys swore allegiance.<sup>179</sup> The actions described in the opening paragraph—horse and weapon theft, rent-control, levelling, export riots, oath swearing, threatening middlemen—all receive the death sentence as well.<sup>180</sup> Furthermore, this act stipulates that the cost of any theft or property destruction is to be defrayed on the members of the parish in which the theft occurs, presumably in an attempt to turn public opinion against the Whiteboys.<sup>181</sup> However, these legislative

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<sup>176</sup> Ibid.

<sup>177</sup> See above, 40-41

<sup>178</sup> *Tumultuous Risings Act*, 3.

<sup>179</sup> See the oaths attested to by Darby Brown on 115 below.

<sup>180</sup> Ibid., 4-5.

<sup>181</sup> Ibid., 8.

repressions still do not redress the Whiteboys' grievances. They demonstrate that the Whiteboys at least have the government's attention, but they also show that the government of Ireland is precariously out of touch with the concerns of the majority of people over whom they supposedly rule. In Morann's terms, they do not have even an inkling of the importance of *rechtge* and therefore have abandoned the reciprocity necessary for a legitimate government.<sup>182</sup>

### In Enquiry

Since the Dublin government was so unaware of the wants of the majority of their subjects, we must jump back nine years in order to return to more local observers and continue developing the Whiteboys' moral economy using views from the sympathetic gentry. *A Candid Enquiry into the Causes and Motives of the Late Riots in the Province of MUNSTER in IRELAND; By the People called WHITE-BOYS or LEVELLERS. With an Appendix, Containing other PAPERS on the Same Subject. In a Letter to a Noble LORD in England.* is the hefty title given to a packet of papers published in 1767. The letter alluded to was first sent on 23 May 1766, by "L.T."<sup>183</sup> L.T. is writing from Ireland to an unnamed lord living in England in order to establish the facts concerning the Whiteboys and to counteract the misinformation about them which L.T. claims stems from "those very persons, or their agents, whose tyrannical oppressions of the poor in that province did at first provoke, and have since increased, these tumults to their late exorbitant height."<sup>184</sup> Like the anonymous author of *An Alarm*, L.T. believes that the

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<sup>182</sup> See *Audacht Morainn*, on 38-39.

<sup>183</sup> L.T., *A Candid Enquiry into the Causes and Motives of the Late Riots in the Province of MUNSTER in IRELAND; By the People called WHITE-BOYS or LEVELLERS. With an Appendix, Containing other PAPERS on the Same Subject. In a Letter to a Noble LORD in England.*, (London: Flexney, Almon, & Newberry, 1767). Perhaps one Dr. John Curry: Morley, *Irish Opinion and the American Revolution*, 48.

<sup>184</sup> *A Candid Enquiry*, 1.

Protestant gentry themselves are directly responsible for the rioting.<sup>185</sup> To prove this point, L.T.'s letter quotes extensively from a previous "ingenious and candid little Tract, published in 1762", called *An Inquiry into the Outrages Committed by the Levellers or White boys, in the Province of Munster*.<sup>186</sup> L.T.'s own tract names the rioters *the People called WHITE-BOYS or LEVELLERS*, and the difference in titles shows us that in 1762, the 'outrages' were undertaken by a species of Leveller which went by the name of Whiteboy, but four years later Whiteboys were rioting and could be understood in terms of the Levellers.<sup>187</sup>

In 1766, the Whiteboy's activities are still ongoing, and the executions of several of their supposed leaders have done nothing to end the tumults. L.T. claims that for four years there has not been a stop to their activities, and that until the root cause has been addressed, there will be no hope for a cessation.<sup>188</sup> He reminds his interlocutor that this is not the first instance of "panics" in "the Province of Munster".<sup>189</sup> When "Henry, Earl of Clarendon [was] Lord lieutenant of this kingdom, in 1685" meetings similar to those of the Whiteboys were purported to have taken place in Waterford and Cork.<sup>190</sup> However, Henry decided to declare that the rumors themselves were a greater danger to the public peace than any actual combination of the Irish, and subsequently these rumors disappeared instantly. L.T. considers the present rumors of a rebellion in Ireland to be similar. Those who spread them are even more dangerous to the public peace than the Whiteboys who actually engage in tumultuous activities.

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<sup>185</sup> Ibid.

<sup>186</sup> Ibid.

<sup>187</sup> Ibid. See the discussion of the Leveller connection above, 17-20.

<sup>188</sup> Ibid. L.T. demonstrates a remarkable grasp of the importance of their moral economy to the Irish peasantry. His *Candid Enquiry* is worth delving into in some depth for precisely this reason.

<sup>189</sup> Ibid., 4.

<sup>190</sup> Ibid.

L.T. gives the year in which the Whiteboys commenced their insurrection as 1762. In 1762, “we were at war with France, [...] for which reason, my Lord, an insurrection in its favour here was, undoubtedly, then, much more to be apprehended, than in any of these last four years of profound peace and tranquility with that kingdom”.<sup>191</sup> L.T. is referring to the conclusion of the Seven Years’ War, and the fact that during that period, fear of a French invasion through Ireland may have been warranted. However, fears of an Irish rebellion backed by France are entirely ungrounded in 1766.

To reinforce this assertion, L.T. claims that “not a single person was convicted of rebellion, though uncommon pains have been taken, [...] to prove them guilty of that crime”.<sup>192</sup> This indicates an important distinction between insurrection and rebellion for L.T.<sup>193</sup> Insurrection, though illegal, does not merit capital punishment. Transportation, flogging, jail time, and penal servitude are all contemplated as punishments which the Whiteboys deserve. However, these punishments must be coupled with a redress of their grievances if the government of Ireland hopes to prevent them from rising again. On the other hand, rebellion entails a rejection of the English King in favor of the French King, and only one punishment is severe enough for a transgression of this nature: death. In L.T.’s opinion, neither those originally executed in 1762, nor Father Nicholas Sheehy,<sup>194</sup> nor the other supposed Whiteboy leaders are guilty of this heinous crime. In fact, they

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<sup>191</sup> Ibid., 5. Of course, we must challenge what he means by insurrection here, even if the term is apt for understanding what it is that the Whiteboys are doing. Additionally, his date is at least a year later than the actual inception of Whiteboyism.

<sup>192</sup> Ibid., 6.

<sup>193</sup> Akin to the one constructed by Campbell. See below, 72-78.

<sup>194</sup> The Catholic priest executed for being a Whiteboy leader who ordered the murder of John Bridge, see 89-94 for a more substantial account of his life and trial.

were not even sentenced to death for rebellion, but rather met their end by being convicted of much lesser crimes.<sup>195</sup>

As evidence for this conjecture, L.T. brings up the circumstances of the Whiteboys' trials, and the imperfect testimony given by uncredible witnesses.<sup>196</sup> James Herbert's evidence appears particularly ludicrous to L.T., and he "would be glad to be taught, how to reconcile [the Whiteboy's] swearing allegiance to the French King; and that they would continue faithful to him, with their swearing, at the same time, to make *Ireland their own*".<sup>197</sup> These two concepts are irreconcilable to L.T.; the Whiteboys cannot be attempting to both forge their own nation and subordinate themselves to the French. Since Herbert's evidence is self-contradictory, L.T. believes that all assumptions that the Whiteboys are planning a rebellion must be cast aside. The refusal to go beyond a limited insurrection displays the sophisticated nature of the Whiteboys' protests, and therefore L.T. thinks that their grievances are worth taking seriously.

L.T. strengthens his argument against rebellion by examining the dying declarations of the Whiteboys themselves. Last words are privileged accounts of Whiteboy intentions not only because they are the sole instance of their own words in their own mouths, but also because of the special nature of a dying declaration for their contemporaries.<sup>198</sup> In L.T.'s estimation, no man would lie before his death because he is about to face God. All men "must hereafter render a strict account of all their thoughts, words, and actions [to] the supreme author, lover, and rewarder of truth," and therefore

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<sup>195</sup> However, Darby Brown's conviction for treason—even if unwarranted—bears keeping in mind. Despite his breadth of knowledge and the detailed accounts he provides, L.T.'s insight into the Whiteboys may be more limited than he thinks it is. See 112.

<sup>196</sup> See 66-71 for the court views of the Whiteboys.

<sup>197</sup> *A Candid Enquiry*, 14. See below, 66-69 for James Herbert's testimony.

<sup>198</sup> See Guha on the sincerity of religious belief in the Santal *hool*, "Prose of the Counter-Insurgency," 78-82.

“whatever a man’s religion, or party, may be; or how strongly soever he may be attached to it in his life-time, sincerity will prevail, at the last hour; over all other considerations.”<sup>199</sup> To secure a fair trial at his last judgement, a man would never lie before his death. Even if he was involved in a Popish plot to overthrow and murder the Protestants of Ireland, he would have to admit to it; everyone knows that God would never forgive a man who died with a lie in his mouth.<sup>200</sup>

If everyone knows that God does not forgive liars, which fact proves the truth of the last testimonies of those going to their deaths, then the rumors of a Popish plot must have no weight to them because none of the Whiteboys have admitted to such a plot. L.T. believes the rumors to be spread by a nefarious “body of sectaries”<sup>201</sup> who are partisanly interested in disinheriting the Catholics of Ireland, and claiming for themselves the lands still possessed by Catholics. This foment, in L.T.’s opinion, is at least as close to seditious rebellion—if not closer—than the activities in which the Whiteboys have engaged. As proof, L.T. cites the sectaries’ tendency to “celebrate the praises, and toast the memory, of that arch-rebel, and regicide, *Cromwell*”.<sup>202</sup> By sowing animosity between the Catholic and the Protestant subjects of King George III, the Protestant landowners have disturbed the peace, and caused several innocent men to be executed. They “first gave the name of rebellion to these disturbances in Munster” and then proceeded to continue their rapacious extraction of rent from the peasantry, which perpetuated the disturbances.<sup>203</sup> In L.T.’s opinion, the riots in Munster do not qualify as an organized rebellion. They are rather an insurrection with limited aims and a cause

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<sup>199</sup> *A Candid Enquiry*, 20.

<sup>200</sup> See the trial of Edmond Sheehy and James Buxton below, 96-105.

<sup>201</sup> *A Candid Enquiry*, 21.

<sup>202</sup> *Ibid.*

<sup>203</sup> *Ibid.*, 22.



which can be traced directly to the injustices instigated by landowners deliberately attempting to further their own agenda.

In L.T.'s estimation, none of the attempts to crush the Whiteboys have been successful so far precisely because these attempts are repressions of the rioters rather than a redressing of the causes of the riots.<sup>204</sup> If anything, the rioting has gotten worse due to the executions of individuals—such as Father Nicholas Sheehy—perceived to be Whiteboy leaders. This intensification of Whiteboy rioting is L.T.'s reason for writing to the lord in England. At the close of his letter, L.T. requests “that you will be pleased to communicate [this letter's] contents to such of your noble friends as have both the power and inclination to cause a speedy, and effectual stop to be put to those crying acts of injustice and cruelty, that are daily committed here”.<sup>205</sup> In L.T.'s opinion, both the injustices of Whiteboy rioting and Protestant rumor-mongering must be ended if Ireland is to have even a modicum of peace. Only the hopefully impartial lords in England are capable of producing any change for the better. L.T. does not think that the Protestant lords in Ireland will do anything to better the situation, because for them the worse it gets the more likely they are to be able to appropriate the property of the Catholics. On the other hand, any change which the Whiteboys can effect would in fact be a change for the worse. However, their disorganization indicates to L.T. that the Whiteboys are not capable of effecting change at all.

### Court Views

Appended to *A Candid Enquiry* is an account of some of the trials surrounding the execution of Father Nicholas Sheehy, including the evidence of James Herbert which

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<sup>204</sup> In our terms, they have not accounted for the moral economic aspects of the rioting.

<sup>205</sup> Ibid., 24.

L.T. so categorically dismisses.<sup>206</sup> This account gives us a substantial glimpse into the court view of the Whiteboys, and the search for a rebellious intent to justify the imposition of martial law in Munster. Sheehy was tried for the murder of John Bridge, and although his trial itself was not published, the trial of the man who supposedly struck the killing blow against Bridge circulated in *Exshaw's Magazine*.<sup>207</sup> Edward Meighan was tried for the same crimes as Sheehy, and the same witnesses and testimony were used for both trials. We can therefore attempt to illuminate a 'first-hand' account of how the Whiteboys, and those accused of leading them, were viewed by examining the evidence given against Meighan.

The principle evidence was given by "John Toohy, sworn for the Crown."<sup>208</sup> In his account of the night of October 28th, 1764, Toohy tells the court that John Bridge was summoned to a meeting of Whiteboys convened for the express purpose of preventing Bridge from giving evidence against other accused Whiteboys. On his arrival at the meeting, "Nicholas Sheehy tendered an oath to John Bridge to deny examinations".<sup>209</sup> The main instrument for securing Bridge's conduct is the use of a binding oath. This piece of evidence shows us that binding and secret oaths were important to the Protestant imagination of what the Whiteboys were doing and why they were subversive—an oath which bound a Catholic to a certain duty was contrary to the responsibilities of a loyal subject of the Kingdom of Ireland. The idea that Bridge would refuse to take an oath which he did not plan to adhere to, even in hazard of his own life,

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<sup>206</sup> For a full account of Sheehy, see below, 89-94 For more court views of the rural Irish peasantry in a different context, see M. M'Donnell Bodkin, K.C., *Recollections of an Irish Judge Press, Bar and Parliament*, (New York: Dodd, Mead & Company, 1914), 1-12.

<sup>207</sup> The same Exshaw who published *True Friends of LIBERTY*.

<sup>208</sup> *A Candid Enquiry*, 39.

<sup>209</sup> *Ibid*.

shows that these oaths were taken seriously. “On [his] refusal Pierce Bryn struck at him with a slane, which he defended with his left hand; then [Edward Meighan] drew a bill-hook from under a belt, and struck Bridge on the head”.<sup>210</sup> Bryn’s slane is a turf-shovel, an implement much like a *lái*, used for cutting peat. Meighan’s bill-hook is a curved knife used for pruning and harvesting. These two objects serve to illustrate the fact that Whiteboys were agricultural labourers primarily, but their common implements were capable of being turned into weapons.<sup>211</sup>

Toohy then tells the court that after Bridge was killed by Meighan’s bill-hook, another of the secret oaths was sworn. “An oath was then tendered by Nicholas Sheehy, [...] not to disclose what had passed that night, and to be true to the king of France, and Joan Meskill and Children”.<sup>212</sup> The element of allegiance to the French King is almost certainly fabricated. We shall see in Darby Brown’s dying declaration that he abjured all allegiance to any foreign king.<sup>213</sup> However, the second figure which Toohy mentions is slightly more familiar. It appears that Joan Meskill was another version of *Sive Amhaltach*, and Joan Meskill’s children are the same as the Children of Sive enumerated by Brown.<sup>214</sup> We can therefore see at least this further similarity between the various groups of Whiteboys: they owed an ethereal allegiance to a representational woman who stood for the grievances of the community, no matter what happened to be her local name.<sup>215</sup>

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<sup>210</sup> Ibid.

<sup>211</sup> For the material conditions of the Whiteboys’ lives, see below 108-111.

<sup>212</sup> Ibid., 40

<sup>213</sup> See below, 115.

<sup>214</sup> See 116-120 for a discussion of the potential tension between allegiance to this representational woman and allegiance to an earthly monarch.

<sup>215</sup> Natalie Zeman Davis explores the importance of representational women to subaltern movements more generally in her essay “Women on Top” from *Society and Culture in Early Modern France*, (Stanford: Stanford University Press, 1975), especially pages 148-151.

The Whiteboys emerge in the testimony of John Toohy and the other witnesses sworn for the crown as a foreign cell, a vision which probably actually arose from gentry anxieties left over from the conclusion of The Seven Years War. In this trial, they appear to have a command structure organized by Fr. Sheehy and his associates, and a discipline enforced through the use of secret oaths. Some of Fr. Sheehy's associates were his cousin, Edmond, and another relative of the Sheehy family, Roger. Other prominent members of the sub-gentry were also considered potential Whiteboy leaders, including James Buxton and John Farrel. In *A Narrative ... on the Trials of Mr. Edmond Sheehy, Mr. James Buxton, and Mr. John Farrel ... Taken from Exshaw's Magazine for April 1766*, James Herbert, the farmer whose evidence L.T. dismisses in *A Candid Enquiry*, swore that Roger Sheehy took him

to a meeting of about twenty or thirty persons assembled, on the lands of Shanbally, near Clogheen, where they were sworn by their priest, father Sheehy, to murder John Bridge, John Bagwell, Esq; William Bagnel, Esq; the Rev. Doctor Hewitson, and every other person who should oppose them; *that they would be faithful to the French king, conquer Ireland, and make it their own.*<sup>216</sup>

This supposed meeting of the Whiteboys includes two of the infamous oaths. The first is a promise to murder two of the most prominent Protestant landowners in the area, their reverend, and the nobody John Bridge. The second oath is more useful for our purposes. It illustrates that the Prosecution believed that the Whiteboys intended, with French aid, to overthrow the government by open rebellion. L.T. has already pointed out for us that these are contradictory prospects, one cannot make a country one's own whilst also

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<sup>216</sup> *A Candid Enquiry*, 53.

submitting to the will of a foreign sovereign.<sup>217</sup> However, it bears keeping in mind that this was the mindset of the majority of the local Protestants.

The three people against whom Herbert gave his testimony were Catholic landowners: or the sub-gentry.<sup>218</sup> They are described as owning several horses, having servants, and attending dinner parties. “The general character of the prisoners, until this unfortunate affair, was very respectable, [they] associated with the gentlemen of the neighbourhood, and with whom they lived in the highest hospitality”.<sup>219</sup> In the eyes of the prosecution, these aspiring Catholics must have been the leaders who planted the seeds of Whiteboyism and served as intermediaries between the Whiteboys and France:

Their influence must have been considerable, otherwise they could not have brought after them, [the people] who were regularly trained and exercised in the military way with arms by their own officers; and it appears, that such as were engaged were subject to martial law, by which they were tried on misbehaviour. It was in resentment of a whipping, which was inflicted on John Bridge with remarkable severity, to which he was sentenced by one of their court-martials, that led him to give evidence against them, by which he lost his life.<sup>220</sup>

This kind of discipline at first appears unlikely for the Whiteboys which we have so far discussed. In the prosecution's estimation, at least, it would seem that a martial law would be more appropriate to a group secretly directed by French officers from abroad. However, we shall see the restraint exhibited by the Tipperary Whiteboys, and the fairly sophisticated system of rotating leadership which the Whiteboys associated with Darby

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<sup>217</sup> See the above discussion of L.T.'s scorn for the hysteria of other Protestants, and what he considers a fallacy of reasoning which could align an Irish National interest with the French king, 64.

<sup>218</sup> Whelan, *Tree of Liberty*, 16.

<sup>219</sup> *A Candid Enquiry*, 58.

<sup>220</sup> Ibid.

Brown used.<sup>221</sup> Therefore, this degree of discipline seems plausible even without French aid or the top-down leadership of the nascent Catholic sub-gentry.

In retrospect the Protestant fears about a pan-Catholic conspiracy seem grossly paranoid, but the three members of the sub-gentry who died in connection to the Sheehy trial in 1766 had indeed flirted with Whiteboyism, even if not in the capacity for which they were executed. *An authentic narrative of the death and execution of Mr. Edmond Sheehy, Mr. James Buxton, and Mr. James Farrel ... Taken from Exshaw's Magazine for May, 1766*, asks a very pertinent question concerning how fundamental of a critique the Whiteboy protests were: “how disturbed must be the state, where many of the inhabitants (not of the meaner sort) are convicted of crimes, which, if effected, would have destroyed the constitution.”<sup>222</sup> What is intended is a condemnation of the disorder of the Catholic sub-gentry, but it is interesting to note that the writer insists that the Whiteboy protests are existentially dangerous to the constitution itself. Even if the Whiteboys intended to operate only as an insurrectionary protest against certain aspects of the oppression they felt, they were being interpreted as a rebellious demolition of the very foundations of society in the Kingdom of Ireland. Perhaps if the author of *An authentic narrative* considered the crimes committed by the peasantry alone, he would not believe the critique to be quite so dangerous. However, the fact that the Catholic sub-gentry might be involved in the tumult means that the social order itself is in danger of dissolution.<sup>223</sup> By 1766, the defense of their moral economy has—whether intentionally or not—led the Whiteboys into a contestation over the sovereignty of Ireland.

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<sup>221</sup> See below, 119.

<sup>222</sup> *A Candid Enquiry*, 59.

<sup>223</sup> See the discussion of the sub-gentry's actual involvement with Whiteboyism below, 89-117.

### A Philosophical Approach

In the late 1770s, it looked as if Whiteboys were to be a permanent fixture of rural Irish life. The proliferation of groups practicing Whiteboyism makes it difficult to tell who qualifies as a Whiteboy and who is a member of any of the other numerous agrarian secret societies seeking the redress of their local grievances.<sup>224</sup> As the *Tumultuous Risings Act* demonstrates, by 1775 the governing class had decided it was long past time for the Whiteboys' insurrection to cease. However, military crackdowns and new legislation directed at curbing Whiteboy gatherings proved ineffective, and despite their frustration with the non-compliant peasantry ever more elites began to realize that a different approach might be necessary.

Thomas Campbell's 1778 *Philosophical Survey of the South of Ireland* takes the form of an epistolary travel account. Unlike the legislation coming out of Dublin, the *Philosophical Survey* is informed in part by Campbell's knowledge that the desperate material conditions of the people's lives are contributing to the widespread notion of legal injustice, and therefore his account displays a fairly nuanced understanding of the Irish moral economy. The first part of the *Philosophical Survey* describes the land and people of Munster generally; it remarks on the prevalence of the Irish language, the richness of the farmland, and the absence of manufacturing. In letter XXXI, sent on 7 November 1775, Campbell is in the midst of describing the "fruitfulness of the soil," when he quickly notes that despite this, the inhabitants are starving and as a consequence are "blindly asserting their rights in nocturnal insurrections".<sup>225</sup> The

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<sup>224</sup> Vincent Morley, "The Continuity of Disaffection in Eighteenth-Century Ireland." *Eighteenth-Century Ireland / Iris an dá Chultúr*, Vol. 22 (2007): 189-205, accessed 12 December 2016, <http://www.jstor.org/stable/30071497>.

<sup>225</sup> Thomas Campbell, *Philosophical Survey of the South of Ireland*, 293.

perpetrators of these insurrections are, of course, the Whiteboys. They appear to Campbell as analogous to the English Levellers, since, like the Levellers, their “poverty [is] occasioned by decay of tillage and increase in pasturage” resulting from enclosure.<sup>226</sup> However, there is a distinction between the Levellers and the Whiteboys which Campbell feels rises from their relative legality:

the present disturbances in Munster, carried on by the rabble, [who were] originally called *Levellers*, from their levelling of inclosures of commons, but now *White Boys*, from their wearing their shirts over their coats, for the sake of distinction in the night. There it was a rebellion, here it is only a star-light insurrection.<sup>227</sup>

We do not see here how the Whiteboys conceived of themselves, but we do get a glimpse of their impetus, and how they are considered. In order to relieve the injustice of enclosure, the Whiteboys are levelling fences and ditches. It is inferred by reference to the Levellers that the Whiteboys hope to regain access to tillage and thus secure what sustenance they have from agricultural activity. We also get a glimpse into their uniform, and from this their name is supposedly derived. Finally, Campbell makes the distinction between the Levellers as a political group, and the Whiteboys as a rabble. Rebellion and insurrection are juxtaposed, and this juxtaposition gives rise to the relatively legal—but only because they are disorganized—nature of the Whiteboy’s actions.

Both the Leveller’s rebellion and the Whiteboy’s insurrection were instigated for the purpose of ending the appropriation of the land necessary for subsistence tillage. Campbell insists that Ireland’s Catholic peasantry “must *see that it is in their interest* to support the present constitution before *they will support it* upon a principle” which they

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<sup>226</sup> Ibid., 294.

<sup>227</sup> Ibid., 295.



will never do if the land they have held by traditional right continues to be stolen from them.<sup>228</sup> If the peasants are barely getting by, they will not feel that their interests are supported by the current legal system, and will therefore be more likely to participate in an insurrection to protect their moral economy. Therefore, enclosure should be stopped. To effect this change in the mindsets of the peasants, Campbell suggests that the Penal Laws should be revoked and pasturage should be discouraged by acts of Parliament. If these three mollifying actions do not happen, the peasantry will continue to take part in insurrections.<sup>229</sup>

Campbell's sympathy for the moral economy of the Irish peasantry is admirable, but the fact that he nevertheless misunderstands it is demonstrated by the fact that he feels that the government should not back down from the issue of tithes. This sentiment is probably due to the fact that Campbell himself was an Anglican clergyman. Campbell sets the landlord and the parson in opposition: "in order to divert their attention away from themselves, it became the policy of the landlord and grazier to cherish, or at least connive at, the spirit of curtailing the church of its pittance."<sup>230</sup> Campbell claims that the landlords have indoctrinated the Whiteboys into this mentality. In pursuit of the amelioration of tithes, Whiteboys "in some places [...] will not suffer the parson to have any assistant in letting his tithes. And if any one be so hardy as to lend his aid, he risks the loss of his ears, or his nose, or both."<sup>231</sup> These gruesome vengeance against middlemen illustrate the zeal with which the Whiteboys were willing to defend this aspect of their moral economy. However, Campbell believes that this wrong should

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<sup>228</sup> Ibid., 302.

<sup>229</sup> Which calls into question the distinction between insurrection and rebellion.

<sup>230</sup> Ibid., 305.

<sup>231</sup> Ibid., 305.

simply be mitigated by having the House of Commons repeal their exemption on herbage tithes. An herbage tithe would increase the money available for parsons, relieve the strain on the poor, and punish the landlords for diverting attention from their own iniquity.<sup>232</sup> Furthermore, in Campbell's opinion, an herbage tithe would stimulate agriculture because "Herbage would have acted as a premium on tillage, by being a tax upon pasturage."<sup>233</sup> Although this is Campbell's view of the situation, it cannot be supposed that the Whiteboys were led by conniving landlords, or that they were ignorant of the inequities inherent in the abolition of herbage tithes. Protest against the shifting of the tithe system and the resulting enclosure of commons for pasturage had formed the core of the Whiteboy 'policy' since 1761.

One of the main injustices perpetrated by the landlords is absenteeism. "[T]he first landlords of [Ireland] are absentees, the second either forestallers or graziers, and where the only tiller of the grounds stands in a third, and sometimes in a fourth degree from the original proprietor."<sup>234</sup> To justify putting the poor and the clergy on one side of the struggle, and the landlords on the other, Campbell puts the words of the 14th Century English radical Lollard priest John Ball into the mouth of the 17th century Levellers: "When Adam delved, and Eve span, / Where then was your Gentleman?"<sup>235</sup> The absentee landlords of Ireland should be legislatively prevented from continuing to occupy a position of three or four tiers of removal from their renters; there isn't any position allowed for them in Biblical sources let alone one of privileged remove. However, Campbell does not consider the possibility that the Whiteboys have come to

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<sup>232</sup> Compare this scheme to Winstanley's method for replacing the institution of tithes on 28.

<sup>233</sup> *A Philosophical Survey*, 307.

<sup>234</sup> *Ibid.*

<sup>235</sup> *Ibid.*, 308. See chapter one, *passim*.

this conclusion independently, through their experience with *rechtge*, or that their aims do not correspond precisely with those of the Levellers because they are not necessarily based off of theological principles.

Campbell distinguishes between the Whiteboys, the Steel Boys, and the Oak Boys in order to further emphasize that rupture is occurring because of the special privileges of the aristocracy.<sup>236</sup> He places the inception of the Oak Boys at three years after the White Boys, in 1764 in Ulster. “[T]he inhabitants of one parish refused to make more, of what they called *job* roads. They rose almost to a man, and from the oaken branches which they wore in their hats were denominated *Oak Boys*.”<sup>237</sup> The labor of many was used for the gain of the rich, and this sense of injustice gave the Oak Boys momentum to become a province wide organization. As the movement spread, more grievances besides the unfair use of free labor on roads were voiced. “Their first object was the overseers of roads; the second the clergy, whom they resolved to curtail of their personal and mixed tithes; the third was the landlords, the price of whose lands, particularly the turf bogs, they set about regulating.”<sup>238</sup> The Oak Boys attest to the presence of the traditional grievances of appropriating common land and tithing in Ulster. Setting the price of turf bogs is especially indicative of the Oak Boys’ belief in traditional rights worth defending. This uprising, according to Campbell, was settled by repealing the Road Act and exercising the force of the army.

The Steel Boys—sometimes called Hearts of Steel to set them off against the almost interminable list of \_-Boys—are distinguished from the Oaks Boys because they

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<sup>236</sup> His discussion of these groups is a testament to the continuation of the Irish tradition of defending their moral economy. See Houghers, 34-35.

<sup>237</sup> *Philosophical Survey*, 309. Recall that Exshaw’s remonstrance to the Oak-Boys occurred in 1763.

<sup>238</sup> *Ibid.*, 310.

had an even more specific source of aggravation. The Steel Boys' landlord raised the fines owed on rented land, so that his renters were "dispossessed by the wealthy *undertaker* [middle-man]; who, not contented with moderate interest for his money, racked the rents to a pitch above the reach of the old tenant."<sup>239</sup> The Steel Boys "rose against the *forestallers*, destroying their houses, and maiming their cattle, which now occupied their *quondam* farms."<sup>240</sup> This is another clear instance of the Irish peasantry—though this time Presbyterians—defending what they view as their moral economic rights. The actions of the Steel Boys illustrate a rage directed at cattle as symbols of enclosure, and middlemen as symbols of the racking of rents and tithe collection.<sup>241</sup> Campbell acknowledges that the Steel Boys' grievances originate from a system of oppression, but he reminds his readers that it was the one particular landlord who caused the disturbances with his iniquitous use of fines and rents.

Although they were similar in nature to the Whiteboys, both the Oak Boys and Hearts of Steel are distinguished by the limited extent and time of their insurrection. Campbell equates the Hearts of Steel and Oak Boys directly with a natural disaster: "The rise and fall of each was like that of a mountain river," but he cannot fit the Whiteboys into this naturalistic framework.<sup>242</sup> The Whiteboys had lived in an almost constant state of insurrection since 1761, and therefore were a phenomenon altogether irreconcilable with the current rule of law. They had been dispossessed of the means of procuring subsistence, and therefore "they become constant enemies of the state; *the state not*

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<sup>239</sup> Ibid., 311.

<sup>240</sup> Ibid., 312.

<sup>241</sup> See the discussion of Houghers, 34-35.

<sup>242</sup> *Philosophical Survey*, 312 As against Guha's and Thompson's rejection of the naturalist/spasmodic view of history.

*being their friend, nor the state's laws*".<sup>243</sup> Campbell dismisses a Popish plot or a rebellious Irish character as potential elements of the Whiteboys' insurrection.<sup>244</sup> Certainly, he dislikes the 'Romanists' for their impropriety, but he also claims that the Dublin administration is the party which is primarily guilty:

the oppression of the poor in the South, proceeds very much from the Papists themselves, as the graziers which engross the farms, are mostly Romanists; which incontestably proves the necessity of an *Agrarian* law. Till some step is taken in favour of tillage and the poor, *Whiteboyism* will probably remain, in defiance of all the *severities* which the legislative power can devise, or the executive inflict.<sup>245</sup>

This may help to illustrate the non-sectarian nature of the Whiteboy movement, but it is certain that the 'Romanists' were in the minority, rather than majority, of those who enclosed the commons. The fact remains, however, that a change which will benefit the poor is necessary in Ireland's agrarian law.<sup>246</sup>

The Oak Boys and Hearts of Steel can be viewed as the inheritors of Whiteboy activity. All three groups demanded agricultural labor reform, and when it was not granted they attempted to enact a reform which would correspond to their views of their moral economic rights. In Letter XXXIII of *A Philosophical Survey*, Campbell insists that rather than the laziness of the Irish being at fault for the change to pasturage in Munster, it is in fact the predatory nature of landlords which discourages tillage. Tillage requires improvements, and if "neither the laws of nature, nor of custom, not even possession for centuries, could preserve to Roman Catholics the estates of their

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<sup>243</sup> Ibid., 313.

<sup>244</sup> However, Campbell does not explicitly consider anything like a defense of *rechtge* or the presence of a moral economy.

<sup>245</sup> Ibid., 313.

<sup>246</sup> This change, from the Whiteboys' perspective, would be a codification of *rechtge*.

ancestors,” then they will not improve the lands on which they work.<sup>247</sup> Campbell claims that the past Irish rebellions against Elizabeth I and James I, along with the rebellion of the Irish Confederation in 1641,<sup>248</sup> were all due to land theft. Rebellions and insurrections will continue as long as Irish Catholics cannot be secure in their property. This is an echo, from an elite perspective,<sup>249</sup> of the Whiteboys’ outrage over enclosure. The Whiteboys’ punitive power effected this change in attitude. Even if he does not explicitly use the terms of moral economy or *rechtge*, Campbell’s *Philosophical Survey* has—in part—described the essence of the Whiteboys’ demands which were based on these two concepts.

### Trant

In the 1760s, we see Whiteboys explained as Levellers, and in the 1780s we see Oakboys, Hearts of Steel, and Rightboys explained as Whiteboys. In 1787, Dominick Trant published his *Considerations on the Present Disturbances in Munster*. This tract exhibits the Protestant gentry’s fears of the revolutionary potential of the Whiteboys and the other groups inspired by their actions.<sup>250</sup> The Rightboys in particular are recipients of the *Considerations*’ ire.<sup>251</sup> Like Campbell’s *Survey*, the *Considerations* are a series of observations about Ireland intended for consumption in the metropole. Trant specifically addresses the hypothetical “Patriot Legislator,” a being he hopes will exist in

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<sup>247</sup> Ibid.

<sup>248</sup> See Ohlmeyer, 181-200.

<sup>249</sup> See John Locke’s *Second Treatise of Government*, (New York: The Liberal Arts Press, 1952). See also Burke’s *Two Letters on Irish Questions*, 219-222, for a similarly sympathetic echo of the Catholic’s grievances.

<sup>250</sup> For instances of these actions, see “Domestic Intelligence,” *Freeman’s Journal 1763-1924*, 14 February; 13 July; 17, 29 August; 7, 9, 21, 26, September; 4 November 1786, accessed 3 January 2017, <http://archive.irishnewsarchive.com.ucd.idm.oclc.org/Olive?APA/IN/L.int.Article.aspx?mode=image&href=FMJ>.

<sup>251</sup> Bric, “Priests, Parsons and Politics, 186.

the future that could bring order to Ireland. In the meantime, Trant gives a vivid—perhaps exaggerated—description of the Whiteboys’ activities:

Armed parties marched in the dead hours of the night, from house to house, collecting fire-arms from the Protestants by menaces, by force, and sometimes by torture; exacting heavy contributions from all descriptions of men for the purchase of ammunition, and for the better general support of the *common cause*; burning the tithes of the clergy, the haggards of such farmers as had dared comply with the laws, and threatening to destroy the houses of the clergy, and of those few magistrates who had taken the alarm, and meditated an active opposition to their proceedings [offenders against the Whiteboys are] often buried alive in graves dug in the point of meeting of the most public roads;—those graves were lined with black-thorn bushes and brambles, and, by an edict of those merciful reformers, no man was, under pain of a similar punishment, to attempt the relief of the unhappy sufferers, within some given and limited time. Some such graves has the writer of these lines seen long open on the high roads within two and three miles of the great and opulent city of Corke.<sup>252</sup>

The theft of firearms, the extraction of ‘taxes’, the hatred and burning of tithes, and half burying those who don’t comply are all understood to be common aspects of the Whiteboy ‘regime.’ It appears that it might be called a regime in 1787, even if in different areas of Ireland the local proponents of Whiteboyism go by names as varied as the Rightboys, Oak Boys, and Hearts of Steel.<sup>253</sup> Given that Whiteboy activity had been continuous since 1761, and that no actions of the government had as yet proven capable of stamping it out, it may not be as absurd as one might initially think to consider the Whiteboys as forming a secondary government. Indeed, from the Whiteboy’s own perspective, the Irish Parliament may have forfeited its right to enforce laws.

This potentiality is exhibited through Trants’ own frustration with the failure of courts of law to convict people of treason. He says that “on the whole Munster circuit,

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<sup>252</sup> Dominick Trant, *Considerations on the Present Disturbances in Munster*, (Dublin: P. Byrne, 1787), 49-50.

<sup>253</sup> The Rightboys in particular seem to have been well organized. They swore oaths to Captain Right, an Ever Joyce or Sive like personality. See 29-33 for oaths sworn by Covenanters, 34-35 for the Houghers, and 115 for Darby Brown’s description of Sive.

where many White-boys were capitally tried, most of whom were notoriously guilty, yet only two were convicted.”<sup>254</sup> The notorious difficulty of getting Whiteboys convicted for their crimes may have been due to Whiteboy affiliations in juries, either through intimidation or sympathy, or it may have been due to an actual paucity of evidence. In any case, the system of law is clearly no longer operating in rural Ireland for either the peasantry or the gentry.<sup>255</sup> However, rather than redressing the Whiteboys’ grievances, Trant stubbornly recommends a stricter application of the defunct laws:

Whatsoever be the CAUSES of these disturbances, whether the peasantry be in themselves really irritated against the clergy and the church, or artfully misled by cool and designing men, whose dislike to all religion or particular hatred to that established, prompts them to arm the hands of the multitude for its overthrow, or whether there lurks in secret a settled purpose gradually to overturn all the orders of the state, and to begin with that which in these days of religious indifference, has the fewest protectors’ the EFFECTS are certainly the same<sup>256</sup>

Trant states that it doesn’t matter whether the Irish peasants are out to make their own government, are being manipulated by some kind of atheistic or popish plot, or are just attempting to redress particular grievances. Since the effects are the same, there is no point in investigating the root causes.<sup>257</sup> This kind of attitude likely provided the practitioners of Whiteboyism with a compelling reason for continuing their riots.

The original Whiteboys may not have viewed their protests as a fundamental critique of the Irish government. However, the Whiteboys caused some people like Trant to think about and defend the legitimacy of their governance, even if the Whiteboys may have disagreed with his conclusion that “Providence has most wisely ordained that all

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<sup>254</sup> *Considerations*, 53.

<sup>255</sup> See *rechtge*, 36-39, and *Proclamation*, 58-59. Redress could perhaps be effect by returning to a concept like *rechtge*, or learning something about the Irish moral economy.

<sup>256</sup> *Considerations*, 55-56.

<sup>257</sup> Perhaps it is his very belief in a sinister plot which obscures these root causes from Trant’s view and the view of those who agree with his analysis of the situation.



human societies should be composed of various classes of men, and that the lowest order should consist of those whose want of property obliges them to an exertion of daily industry and labour” with no reciprocal protection in exchange.<sup>258</sup> Trant believes in the providential nature of an irresponsible hierarchy, but he is nevertheless forced to acknowledge that the existing social order is flawed. Trant believes that the ‘true patriot legislator’ will solve these flaws in time. One particular step this being should take is to

devise and recommend an effectual method of preventing the pernicious habit of smuggling, particularly on the coasts of this kingdom, by armed and numerous parties, who at present compose the flower and strength of the White-boy military establishment<sup>259</sup>

This opinion does not surface anywhere else. *Poiteen* was a major concern of distilling interests in Dublin, and its smuggling may have been a minor aspect of Whiteboyism.<sup>260</sup> Smuggling of various illicit or heavily taxed goods could represent a new challenge to the legal order, but we must remain suspicious of the idea that the Whiteboys had a ‘military establishment.’ This establishment seems much more like the late phases of 1790s Defenderism than the decentralized Whiteboys we have seen so far, despite what Exshaw previously claimed about the abrogation of legislative authority.<sup>261</sup> Nevertheless, the anxieties and reactions which the Whiteboys sparked indicate that they should not be excluded from the discourse on state legitimacy current during the 1700s.<sup>262</sup>

### O’Leary

Trant’s *Considerations* contain many concerns which are lifted right from the tract called *Address to the Whiteboys, Particularly those of the County of Corke* which was

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<sup>258</sup> Ibid., 59. In other words Trant is diametrically opposed to the conclusions of the Levellers and Diggers.

<sup>259</sup> Ibid., 60.

<sup>260</sup> See the Covenanters on 29-33.

<sup>261</sup> See above, 56.

<sup>262</sup> Morley, *Irish Opinion and the American Revolution*, 167.

written by Reverend Arthur O’Leary. O’Leary was a Catholic priest who stood opposed to Father Nicholas Sheehy ideologically, if not positionally. His *Address* was written in 1786, twenty years after Sheehy’s death, and illustrates a view of the Whiteboys from the perspective of an elite Catholic. The vehement rejection of the Whiteboys by this Catholic source shows that religious solidarity could be undermined by class solidarity, even in a land presumed to be historically torn by sectarianism.<sup>263</sup>

The Whiteboys had been a constant feature of rural Irish life for over a quarter of a century, and during this time, they had been suppressed and then had resurged over and over again. O’Leary tells his readers that he has seen “so many White boys whipped, so many hanged, so many shot by the army, so many Whiteboy’s widows and orphans reduced to beggary from the misconduct of their husbands and fathers,” that he fears the pull of religion no longer applies to them.<sup>264</sup> O’Leary believes these persistent objectors to be beyond the bounds of Christianity. To him they demonstrate their evil by “nailing up the chapels,” on Sundays, “that day [when] the very administration of civil justice is suspended”.<sup>265</sup> This action disrupts the normal life of the Protestants in order to achieve the alleviation of tithes, but O’Leary does not consider this an acceptable motive. It detracts from the Catholic congregation as well, since “this irreligious farce was attended with the notes of the flute, and the blasts of the bag-pipe *playing* from one house of worship to another, and a set of men combined against the clergy of both.”<sup>266</sup> Here O’Leary gives us a picture of the Whiteboys as a group so secular as to border on a challenge to religion itself.

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<sup>263</sup> But see the discussion of elite Catholic involvement with Whiteboyism below, 89-107.

<sup>264</sup> Arthur O’Leary, *Address to the Whiteboys, Particularly those of the County of Corke*, (Dublin: The Hibernian Printing Office, 1786), 4.

<sup>265</sup> *Ibid.*, 6.

<sup>266</sup> *Ibid.*, 7.

O'Leary casts them outside the very fold of Christendom not only because of their disruption of church services, but because of their more explicitly civic actions as well. They "burnt houses, and committed singing birds to the flames. The [Rightboys also] cropped horses, and burnt ricks of corn."<sup>267</sup> The actions of this group which inherited the practices of Whiteboyism demonstrate the ongoing rage against the privileges of the landed class in Ireland. The big house was a symbol of the dispossession of the land which the tenant class had been experiencing by increasing degrees since Henry VIII's re-conquest. The horse was an animal which, under Penal Laws, could only be owned by a Protestant if it was valued above a few pounds.<sup>268</sup> The burning of ricks of corn signifies the disgust of the peasantry at the fact that exported food meant a decreased ability of the government to cope with famines.<sup>269</sup>

The inability to cope with famines, the ongoing iniquities of the legal system, and the perseverance of tithing<sup>270</sup> and enclosure—the basic concerns of Whiteboyism—would remain aspects of the contention against English rule in Ireland throughout the nineteenth century. The Whiteboys and their successors are perceived by O'Leary as contrary to one of the basic signifiers of Irishness: the Catholic religion. However, the Whiteboys have not abandoned religion; they are merely asserting their moral economic rights in defence of both *rechtge* and their very lives.

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<sup>267</sup> Ibid. By 'singing birds,' O'Leary may mean informers who worked with the authorities to suppress Whiteboyism. See above, 34-35 for the Hougher's rage against the animal property of enclosing landlords.

<sup>268</sup> *Irish Historical Documents*, 188-194.

<sup>269</sup> Other instances of this particular action situate the Whiteboys in the economic community of Great Britain. See 60 for the sanctions against export riots in the *Tumultuous Risings Act, 1775*, and 40-41 for E.P. Thompson's comments in relation to the 1740-41 Famine.

<sup>270</sup> Could tithing be interpreted as an impetus to anti-Protestant sentiment amongst the common people?

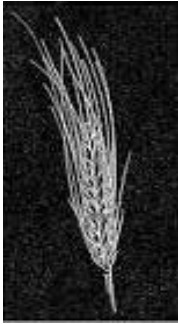
### Contested Vision

The gentry had recognized the Whiteboys as a phenomenon distinctive to rural Ireland in the mid-1760s. By the 1770s, they were no longer perceived as just another permutation of Levellers essentially similar to the version which England had experienced more than 100 years earlier. Rural protests in Ireland were still seen as analogous to those which occurred at the start of the English agricultural revolution, but the scope of the Whiteboys' riots was largely believed to fall short of an actual change in government. However, the Whiteboys in effect instated a local, decentralized, 'judiciary' which bypassed the local magistrates in order to justly implement *rechtge* as a defense of their moral economy. The Whiteboys may not have succeeded in changing legislation in their favor, but they did force some elites to fundamentally reconsider the legitimacy of the sovereignty of the Protestant gentry.

One elite view of the Whiteboys which persisted from 1761-1778 posited that they did not have a specific theory for why their actions are justified, but recognized that they were in a state of violent resistance against what they perceived to be the injustices done against them. This view understood that enclosure of the commons and the farming of tithes were the two main grievances, with distraint and a hatred of church fees in general forming secondary concerns. *An Alarm, True Friends of LIBERTY, A Candid Enquiry*, and *Philosophical Survey* all represent the view that the Whiteboys are little more than a local insurrection which proper legislation and concessions of some of the contested issues can assuage.

However, the Dublin government, and several elites from both the Protestant and the Catholic religions such as Trant and O'Leary, did not choose to listen to these moderates. The government instead enacted martial law and attempted to crush the

Whiteboy movement by force. On 7 July 1762, Darby Brown and four other Whiteboys were executed in Waterford as part of the government's campaign of repression. Darby Brown's dying declaration is the only instance of a Whiteboy speaking for himself which has survived in the historical record. Furthermore, since we have seen L.T. emphasize the seriousness with which a dying declaration should be taken, Brown's statements about why he and his fellow-sufferers had been rioting should have indicated the inadequacy of the Dublin government's approach. The folk-martyrdom of Nicholas Sheehy in 1766 also should have made this inadequacy obvious to the magistrates. The Whiteboys' defense of moral economy should have forced the elites to restructure their relationship to Ireland's peasantry by incorporating something like *rechtge* into the canon of law. However, the two groups fundamentally did not understand each other, and the Whiteboys' insurrection did not ultimately lead to a canonization of *rechtge*. Instead the conflict intensified and spawned a host of Whiteboy-like groups.



### The Unwritten Book of Rights

*"We'll sit down on the hope of the ghoully ghost for the titheman troubleth but his hantitat hies not here." (Finnegans Wake, p. 57, ln. 5-7).*

It is difficult to sort from among the various elite accounts of the Whiteboys which ones are closest to representing reality. Not only were none of the above mentioned elites involved in Whiteboyism, but they describe versions of Whiteboyism which vary in both time and locality. Since the Whiteboys were an agrarian redresser movement, each particular permutation of Whiteboyism had its own specific concerns and a vision of what kinds of actions were legitimate and against whom these actions could be taken.<sup>271</sup> This vision informed their strategic use of insurrection to seek the redress of their grievances. Historical context has shown us that protests against enclosure and resentment of tithes were strong features of the moral economy of the rural poor, and that these twin grievances formed a common core of the Whiteboy protests. All peasantries are not the same, and the importance of these grievances to the Whiteboys came, in part, from the emphasis on reciprocity in Irish *rechtge*. *Rechtge* has been used to signify a reciprocal lord/client relationship mitigated by custom and tradition, incorporating local laws, and sanctioning redress from below. Its decentralization

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<sup>271</sup> For a discussion of various modes of political unrest, and its elite expressions, see Morley, "The Continuity of Disaffection in Eighteenth-Century Ireland."

suggests *rechtge* as a concept useful for understanding the Whiteboys' protests against the absentee landlords' rejection of their reciprocal responsibilities in favor of participation in global capitalism.

The Whiteboys' version of *rechtge* can be further fleshed out through a sustained study of the few instances we have in which an accused Whiteboy speaks for himself and his words are recorded. Both *An Alarm* and *A Candid Enquiry* contain extensive accounts of the trials of the two most notorious Whiteboy 'leaders.' Darby Brown was a Waterford woolen worker who drew inspiration from the successes of the Tipperary 'Levellers,' and along with several other agricultural workers decided to copy their methods in an attempt slow the enclosure of certain commons and put a stop to the inflation of taxes perpetrated by middlemen and tithe collectors. The other Whiteboy 'leader' was Father Nicholas Sheehy. He urged his parishioners to stop paying tithes, and preached sermons on the iniquity of enclosure.<sup>272</sup> However, the extent of his involvement in Whiteboy actions is unclear—perhaps he was more of a theorist than a practitioner. He was executed as 'the' Whiteboy's leader in 1766, along with his cousin and two other members of the Catholic sub-gentry.<sup>273</sup> Their dying declarations exhibit a Catholic position regarding the Whiteboys opposed to that of O'Leary, and an elite position opposed to the other materials examined in the second chapter. These Catholic sub-gentlemen were ultimately sympathetic to the Whiteboys and their plight, even if they did not 'lead' them in the capacity for which they ultimately died.

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<sup>272</sup> See Gerrard Winstanley's religiously inspired rejection of enclosure on 26.

<sup>273</sup> Musgrave asserts that Nicholas Sheehy was "The Leader" of the Whiteboys since their inception, and personally led skirmishes against the army in 1762 and 1764. See Richard Musgrave, *Memoirs of the Different Rebellions in Ireland*, (Dublin: Robert Marchbank, 1802), 36-60.

*A Candid Enquiry* provides a wealth of information which has previously been underused by scholars working on the Whiteboys. One of its appendices contains detailed information on the amount of land off of which the Munster peasantry lived, their estimated incomes, the taxes they paid, and the proportion of their livelihood which they lost to the tithe-man every year. This study is much more precise than Lilburne's claims that tithes represent a tenth to a fourth of a farmer's income, and is an important insight into the material conditions of the people who became Whiteboys.<sup>274</sup> Understanding the material conditions of the Whiteboys will be essential for a proper elucidation of Darby Brown's particular moral economy. Brown's dying declaration is a moment in which the subaltern speaks.<sup>275</sup> However, we should first we should begin with the Sheehy trials in order to work backwards from what we heard detached elites saying about the Whiteboys in the second chapter, to what fleetingly involved elites said about their flirtation with Whiteboyism, and finally arrive at a sustained analysis of the dying declaration of a man who was in fact a Whiteboy.

### Father Sheehy

Nicholas Sheehy was born in 1728. His father Francis sent him to Louvain, in Belgium, to be educated.<sup>276</sup> Nicholas also studied at the Irish College in Salamanca before he was ordained a Catholic priest in 1752 in Rome.<sup>277</sup> Francis could afford this expensive

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<sup>274</sup> See 24 for Lilburne's "Legall Fundamentall Liberties."

<sup>275</sup> Guha's reminder of the importance of religion to the Santal *hool* should be kept in mind when discussing dying declarations, and their validity as indicators of what the people who uttered them truly believed. "Prose of the Counter-Insurgency," 78-82. See also L.T.'s discussion of dying declarations above, 64-65.

<sup>276</sup> See W.O. Cavenagh, "The Irish Franciscan College at Louvain, Belgium," *The Journal of the Royal Society of Antiquaries of Ireland*, vol. 38, no. 2, 175-178, for more on the school at Louvain.

<sup>277</sup> Dictionary of Irish Biography Article on Nicholas Sheey, Accessed October 10 2016, <http://dib.cambridge.org/viewReadPage.do?articleId=a8031&searchClicked=clicked&quickadvsearch=yes>.



continental education for his son because the Sheehys were among the fortunate Catholic families to benefit from the incremental relaxation of the application of the Penal Laws.<sup>278</sup> These laws had disenfranchised Catholics, deprived them of property ownership, and threatened the death penalty for Catholic priests since the Reformation. By the mid-1700s, many Protestants recognized the abuses which the Penal laws represented and some of the legal strictures against Catholic property ownership could be avoided with the help of a sympathetic Protestant lord. One such lord, Lord Middleton, had helped Francis Sheehy's father, John, to secure for the Sheehy family the position of middlemen and by the time of John Sheehy's death in 1740, the Sheehys were head tenants of over 600 acres.<sup>279</sup> The enormous income which Nicholas Sheehy received—£200 per year—for ministering to the parishes of Clogheen and Burncourt would suggest him as the quintessential success story of the rising Catholic middle class.<sup>280</sup> However, Sheehy fell foul of the law in 1758, and Lord Kingston offered a reward of £5 for his capture.

It is unknown how Kingston's bounty turned out, but in 1761, Sheehy's parish of Clogheen was a center of Whiteboy actions, including levelings and active resistance to tithe collection.<sup>281</sup> Sheehy "allegedly supported his parishioners when they levelled the fences around the common at Drumlommon, on the estate of the Catholic nobleman, Lord Cahir."<sup>282</sup> Lord Cahir's estate was one of the first targets of Levellers described as

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<sup>278</sup> Whelan, *The Tree of Liberty*, 3 & 16-22. Whelan refers to families like the Sheehys as "underground gentry" due to their influence over the spiritual and temporal lives of their undertenants, and the respect accorded to them due to their claims to concatenation with the ancient Gaelic lords. For more on the Penal Laws, see the Catholic Encyclopedia entry on "Penal Laws," Accessed 26 April 2016, <http://www.newadvent.org/cathen/11611c.htm>.

<sup>279</sup> D.o.I.B. 'Nicholas Sheehy'.

<sup>280</sup> Ibid.

<sup>281</sup> Implementation of *rechtge*.

<sup>282</sup> Wall, 15.

Whiteboys, and his denomination would suggest that the Whiteboys targeted middlemen of all creeds, and therefore were not a sectarian society.

Sheehy's cousin Edmond's granddaughter was Marguerite Gardiner, Countess Blessington by marriage to Charles John Gardiner. Her *Literary Life and Correspondences* contains a detailed family history of the Sheehys, and the events which led up to the execution of Fr. Nicholas and her maternal grandfather Edmond. Blessington's account of her grandfather's trial and execution crackles with indignation at the miscarriage of justice:

If ever affrighted justice might be said to "swing from her moorings," and, passion-driven, to be left at the mercy of the winds and waves of party violence, it surely was in the [iniquitous] proceedings against the Sheehys [...] The unfortunate Father Sheehy was found guilty of the murder of a man named John Bridge, and sentenced to be hanged, drawn, and quartered, and the sentence was carried into execution at Clonmel. The head of the judicially murdered priest was stuck on a spike, and placed over the porch of the old goal, and there it was allowed to remain for upwards of twenty years, till at length his sister was allowed to remove it.<sup>283</sup>

The term 'judicial murder' has been applied to the trial of Fr. Nicholas Sheehy by several historians of eighteenth century Ireland.<sup>284</sup> In S.J. Connolly's study of the Protestant Ascendancy, he claims that Fr. Sheehy brought about his own destruction. According to Connolly, Sheehy had "given encouragement to those who resisted demands for tithes, and the Catholic vicar-general of his diocese refused to appear at his trial to testify to his loyalty."<sup>285</sup> There is not space enough to argue whether Sheehy's radical opposition to tithes and encouragement of Whiteboyism meant that he had marked himself for death.

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<sup>283</sup> *The Literary Life and Correspondences of the Countess of Blessington*, compiled by R.R. Madden, M.R.I. A., Accessed 11 February 2017, [https://archive.org/stream/literarylifefand01maddgoog/literarylifefand01maddgoog\\_djvu.txt](https://archive.org/stream/literarylifefand01maddgoog/literarylifefand01maddgoog_djvu.txt), 484.

<sup>284</sup> C.f. Connolly, Wall, & Whelan. 'Judicial murder' seems to me a contentious term because an execution is always euphemism for murder. What is really implied by this term might be more appropriately phrased as 'an illegitimate use of the judiciary functions of state.'

<sup>285</sup> S.J. Connolly, *Religion Law, and Power: The Making of Protestant Ireland 1660-1760*. (Oxford, Clarendon Press, 1992), 228.

Fr. Sheehy was violently silenced, but for us the point is that a Catholic priest from a wealthy background chose to ally himself with his parishioners against other Catholic middlemen and Protestant enclosers and tithe collectors.

The fact that the Whiteboys had someone powerful like Sheehy on their side tells us at least two things about them.<sup>286</sup> First, the moral weight of their argument moved Sheehy enough to risk his life and fortune speaking out on their behalf. Secondly, it tells us that enough of Sheehy's parishioners were circulating ideas about levelling, resistance to tithes, and the iniquities of middlemen that even if he had wanted to, he could not ignore the growth of the Whiteboy movement in his parish. We cannot say for sure whether moral or social pressure, both, or some other reason, convinced Sheehy to publicly stand with the Whiteboys. The reason for this is that Sheehy's public declarations on the matter are extremely difficult to find and verify. Lady Blessington is therefore worth quoting again to give us a picture of the start of Fr. Sheehy's involvement with the Whiteboys.

The enclosing of commonage in the neighbourhood of Clogheen, in the winter of 1761-2, had inflicted much injury on the parishioners of Father Sheehy.

About that time, the tithes of two Protestant clergymen, Messrs. Foulkes and Sutton, in the vicinity of Ballyporeen, were rented to a tithe proctor of the name of Dobbyn. The tithe farmer instituted in 1762, a new claim on the Roman Catholic people in his district, of five shillings for every marriage celebrated by a priest. This new impost was resisted by the people, and as it fell heavily on the poor of the parish of Father Sheehy, it was publicly denounced by him. The first "risings" in his neighbourhood were connected with resistance to this odious tax.<sup>287</sup>

Enclosure, tithes, and the depredations of middlemen are all presented as grievances of Sheehy's parishioners which moved him to speak out on their behalf. Dobbyn's

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<sup>286</sup> See above, 66-71.

<sup>287</sup> *Blessington*, 485.

exorbitant tax on marriages drove the Whiteboys around Ballyporeen to resist him, and Fr. Nicholas Sheehy backed them up from his pulpit.<sup>288</sup> How far his support extended is unclear, even in terms of rhetoric let alone action. Although, like Darby Brown, Sheehy was allowed to make a dying declaration, Sheehy's was not widely published.<sup>289</sup> Darby Brown's dying declaration gives us a substantial amount of his own views of his situation; this is in stark contrast with Sheehy's trial, which is conspicuously devoid of words coming from the priest's own mouth especially considering his relatively higher degree of education as compared to Brown.

One of the only surviving records of Sheehy's own words is a letter he wrote on 14 March 1766 to Major Joseph Sirr, the Dublin Chief of Police. In this letter, he thanks Sirr for his help in attempting to win his freedom, but he faces his death with stoicism and humility. He declares his innocence, but cannot prove it because he must admit to a degree of knowledge concerning the murder of John Bridge. Sheehy tells Sirr that

John Bridge was destroyed by two alone, who strangled him on Wednesday [night] the 24th October, 1764. I was then from home, and only returned home on the 28th, and heard that he had disappeared. Various were the reports, which to believe I could not pretend to, until in the discharge of my duty one accused [himself] of the said fact.<sup>290</sup>

Father Sheehy tells Sirr that he heard the confession of one of the men who actually murdered John Bridge. The confessant told Sheehy that he and one other man strangled Bridge, but the reason is not given. The date Sheehy gives is inconsistent with "the Night of the 28th of October" which was the night that the court claimed Nicholas Sheehy was

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<sup>288</sup> Using the figures quoted from *An Enquiry* below, this fee represents fifteen days' labor, or 5% of an agricultural worker's annual income.

<sup>289</sup> The account in *Exshaw's Magazine* merely claims that he said little before his death. See above, 66.

<sup>290</sup> *Blessington*, 493-4. Blessington enters into a digression on the identity of the person who confessed. Her conclusion is that it must have been the Gaelic-speaking Roman Catholic Michael Mahony, see pages 496-7.

at the crime scene.<sup>291</sup> This confession's authenticity is questioned by Blessington—she is wary of a conspiratorial scheme—but Fr. Sheehy took the confession seriously, and carried the identity of the confessant to his execution. In the closing sentence of his letter, Sheehy forgives his accusers. “May God forgive [them] and bless them, you, and all mankind, are [my] earnest and [fervent] prayers”.<sup>292</sup> Fr. Sheehy's piety and forgiveness suggested him to his parishioners as a martyr-figure. There was even a movement in the nineteenth century to have him canonized.<sup>293</sup> However, Fr. Sheehy's importance to his parishioners is nearly eclipsed in the historical record by his importance to his accusers.

Father Nicholas Sheehy's multiple trials, and execution in 1766 exhibit the near-hysterical Protestant fears of a Popish plot in Ireland. Connolly claims that “[t]he judicial murder of Sheehy was [due to Protestant hysteria over Whiteboy agitation] the high point of a particularly vicious local conflict, its very notoriety, both at the time and later, marking it out as an exceptional event.”<sup>294</sup> Connolly's provincialization of the Sheehy trial seems inexact precisely because—even though it was a rural event—it was a hugely significant political and social incident in the mid-1700s. Fr. Sheehy's vocal resistance to tithes and enclosure led to the belief that he was a Whiteboy leader which in turn led to a sustained attempt to have him executed: Fr. Sheehy was arrested and indicted on five occasions between 1762 and 1766, and had a bounty of £300 on his head

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<sup>291</sup> *A Candid Enquiry*, 39.

<sup>292</sup> *Blessington*, 494.

<sup>293</sup> See Musgrave, *Memoirs of the Different Rebellions in Ireland*, 38, for the “supernatural powers” imputed to clay taken from the martyred priest's grave.

<sup>294</sup> Connolly, *Religion, Law, and Power*, 229.

when he finally turned himself in for the last time.<sup>295</sup> By the authorities, he was considered a traitor who incited the masses to armed rebellion, a bully who intimidated his congregation into not informing on the Whiteboys, and a murderer. For the Whiteboys, and others, he was a heroic martyr. His death, and the death of his cousin, illustrate how confused the Protestant government was concerning who the Whiteboys were and how they could be understood. However, the Sheehys' involvement—no matter its extent—also demonstrates that the logic of the Whiteboys' protests appealed on some level to the Catholic elites.

### The Sub-Gentry Three

Three other members of the Catholic sub-gentry were executed after trials where they were convicted of being involved with Fr. Sheehy and 'his' Whiteboys. Fr. Sheehy represents a position of sympathy towards the Whiteboys. His cousin, Countess Blessington's maternal grandfather, was Edmond Sheehy. His and James Buxton's dying declarations illustrate that the sub-gentry were aware of the sufferings of the peasantry, but considered the methods the Whiteboys were using to effect the redress of their grievances to be too radical. They therefore were at most only fleetingly involved in the movement. The final Catholic sub-gentry view is taken from James Farrell's dying declaration. He claims to have been totally removed from the Whiteboys, and his rejection of their movement is similar to the dismissiveness which we saw exhibited by Exshaw's *True Friends of LIBERTY*. These dying declarations give us a valuable insight into the divided views among the Catholic sub-gentry on Whiteboyism. They also give us

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<sup>295</sup> Dictionary of Irish Biography Article on Nicholas Sheehy, Accessed October 10 2016, <http://dib.cambridge.org/viewReadPage.do?articleId=a8031&searchClicked=clicked&quickadvsearch=yes>.

a testament to some Whiteboy activities such as levelling fences and ditches, rejecting the regular avenues of justice, and implementing a semi-judicial system of their own.

*Edmond Sheehy* — Although Nicholas Sheehy's public statement is much more reticent as to his views on the Whiteboys than that of Darby Brown, Edmond Sheehy and his fellow-sufferers were remarkably vocal at their executions on 3 May 1766.

Edmond Sheehy tallies off his alleged crimes in his dying declaration:

1st. The meeting at Kilcaroon [...]  
 2dly, The meeting at Ardfinan, sworn by Guinan, in October 1763, and several other meetings and treasonable practices [...]  
 3dly, That I had a hand in burning John Fearise's turf, and extirpating his orchard, taking arms from soldiers, burning Joseph Tennison's corn, levelling walls, and many other atrocious crimes against the peace and tranquility of the present happy constitution.<sup>296</sup>

Edmond Sheehy, unlike his cousin, goes out of his way to condemn the practices and acts of the Whiteboys. He distances himself from their meetings, Kilcaroon and Ardfinan in particular. Although he denies partaking in Whiteboy activities, he also gives us two more examples of what Whiteboys in Tipperary were doing: they burned the turf of the land-owner Fearise and dug up his orchard, and they burned Tennison's corn. Both the burning of the turf and the digging up of the orchard can be interpreted as a protest against the enclosure of commons. The turf burning because of the belief that waste land from whence turf is dug should be common and not appropriated for a single man's gain, and the orchard digging because of the fact that a plot of land planted to orchard is unusable for communal tillage. The corn is interesting in the context of the

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<sup>296</sup> *A Candid Enquiry*, 62. Edmond declares the Whiteboys' meetings treasonable, and explicitly states his loyalty and belief in the beneficence of the constitution. Whether he actually said this or if it is a scribe's insertion is unknown.

1740-1 Famine riots. It could indicate an anger at the export of crops, or simply that the corn itself was grown in an enclosed field which previously had been held in common.<sup>297</sup>

Unlike Darby Brown, Edmond Sheehy is mostly an oblique informant on Whiteboys and Whiteboy activities. He declares that “I did not see a White-boy since the year 1762, and then but twice or thrice; and that I never was present at the levelling of the *rock of Cashell*”.<sup>298</sup> Both Darby Brown and Edmond Sheehy were executed because they were believed to be Whiteboy leaders. However, Darby Brown was a Whiteboy leader at one point, whereas Edmond Sheehy seems to have never been connected to the Whiteboys in any sustained fashion. The fact that he only had contact with them around the time of Brown’s trial, and then infrequently, indicates that he cannot be considered a major player in the Whiteboy movement.<sup>299</sup>

However, what Edmond Sheehy swears to in his dying declaration does tell us a few useful things about the Whiteboys, and why they were infamous. First, there is the levelling at Cashell, which *An Alarm* informed us was perpetrated by Protestant ‘Levellers.’<sup>300</sup> Next, Edmond Sheehy declares that “I never was at a meeting at Kilcaroon, never heard an oath of allegiance proposed nor administered in my life to any sovereign king or prince”, which denies Herbert’s testimony that Fr. Sheehy tendered an oath of allegiance to the king of France.<sup>301</sup> A further insistence of Edmond Sheehy against his intimacy with Whiteboy affairs concerns an important event which ignited Protestant fears about the power of the Whiteboys: “The battle of Newmarket, for which

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<sup>297</sup> See above, 40-41. Recall also E.P. Thompson’s discussion of the classic examples of protest in defense of the poor’s moral economy, “Moral Economy of the English Crowd,” 97.

<sup>298</sup> *A Candid Enquiry*, 63.

<sup>299</sup> See Brown’s position as “captain (such as the May-Boys have)” below, 119.

<sup>300</sup> See above, 52.

<sup>301</sup> *A Candid Enquiry*, 63.



I was tried, I declare I never was at Newmarket, nor did I know there was a rescue intended”.<sup>302</sup> The rescue of the Newmarket prisoners in 1764 marked the Whiteboys as a group who were willing to go beyond night-time vigilantism and appear in the open to defend their members.<sup>303</sup>

We have already seen that the Battle of Newmarket fed into a worry that the Catholics would rise in concert as they had in the 1640s, and attempt a massacre of the Protestant lords. Edmond Sheehy denies this accusation as well, “I declare that I never meant, or intended rebellion, high-treason, or massacre”.<sup>304</sup> Massacre is specifically mentioned, in the same breath as high-treason and rebellion. However, a limited amelioration of the conditions under which the Catholic peasantry toiled is omitted. This potentially indicates Edmond Sheehy’s sympathy with the Whiteboy cause, though he simultaneously condemns their methods.

Perhaps Edmond Sheehy is more innocent of treason than Darby Brown, but by his own admission he is not entirely innocent of countenancing an insurrectionary attempt at righting the wrongs which galled the Whiteboys. He admits that “I sent for Sir Thomas Maude the day of my sentence, and declared to him the meeting at Drumlemmon,” which was one of the levellings that Nicholas Sheehy was accused of instigating or at least condoning.<sup>305</sup> “I saw nothing remarkable,” Edmond Sheehy continues, “but two or three fellows, who stole hay from Mr. John Keating, whipped, and sworn never to steal the value of a shilling during life.”<sup>306</sup> This is a concrete instance of the martial law which the Whiteboys were supposed to exhibit. For thievery, a few of

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<sup>302</sup> Ibid. See the above discussion of the Battle of Newmarket, 58-59.

<sup>303</sup> MacDowell, 79.

<sup>304</sup> *A Candid Enquiry*, 63.

<sup>305</sup> Ibid., 64. See above, 92.

<sup>306</sup> *A Candid Enquiry*, 64.

the members were subjected to a whipping, and then bound by one of the infamous oaths to never do so again. The compiler of Edmond's trial asks: "*Quere*, by what court power was this punishment inflicted?"<sup>307</sup> Edmond Sheehy provides us with an obliquely illuminating answer to this query. The Whiteboys had a very strict program for what they were doing, and for the methods which were acceptable for accomplishing this program. They were not instigating a period of upheaval in rural Ireland during which laws would be suspended and the poor could lash out at the rich.<sup>308</sup> They were redressing specific grievances; redress could be effected using the circumscribed means of levelling, non-payment of tithes and taxes, and ostracism of middlemen. The punishment at Drumlommon displays a nuanced understanding that anyone who transgresses this code is a liability to the Whiteboys' cause insofar as they make them appear to be a disorganized rabble. The answer to the compiler's question is: by the para-legal court of the Whiteboys.

Even if their organizational structure can be partially disclosed by Brown and the Sheehys, the Whiteboys are at times frustratingly elusive. The compiler's footnote discloses a particular aspect of this frustration: "Crimes of a general and high nature are usually, I may say always, committed by numbers, and combinations are more difficult to fathom than the mischiefs done by individuals."<sup>309</sup> If this was a story whose main characters were only the Sheehys, then the Whiteboys could easily disclose their totality and be folded into the narrative of the antagonism between Catholics and Protestants in

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<sup>307</sup> Ibid., footnote.

<sup>308</sup> See the suspension of *enech*—honor-price— above, 37-38.

<sup>309</sup> *A Candid Enquiry*, 63, footnote.

Ireland.<sup>310</sup> It appears that the prosecutors understood the problem in that way, and this contributed to their attempts to get prisoners to turn approver in prison. Edmond Sheehy tells us that

I was often attacked, during my confinement in Kilkenny, by the Rev. Laurence Broderick, and the Rev. John Hewetson, to make useful discoveries, by bringing in men of weight and fortune; that there was an intended massacre and rebellion, French officers, commissions, and money paid, and by so doing that they would procure my pardon<sup>311</sup>

Furthermore, Edmond Bagnell, Sir William Baker's son, and Mr. Matthew Bunbury all made similar requests of Edmond Sheehy while he was incarcerated. They all wanted him to say that "*the priest died with a lie in his mouth,*" meaning Fr. Sheehy lied when he said that he was not the leader of the Whiteboy movement.<sup>312</sup> The presence of a conspiracy of wealthy Catholics against the Protestant landowners made the origins of Whiteboyism easier to comprehend, and simplified the work which would need to be undertaken to suppress the organization. Rather than redress the Whiteboys' grievances, all the government would need to do would be to remove their ringleaders.

It would be easy for us to cast aspersions on the Protestant gentry, and claim that they were leading a conspiracy of their own to dispossess the Catholics of what land they had managed to retain or regain since the invasion of William of Orange. However, it seems just as likely that, even if some did in fact have this object in mind, many were simply baffled at the thought of peasants forming an independent organization which did not rely on a top-down system of old gentry leadership.<sup>313</sup>

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<sup>310</sup> White, *Metahistory*, 5. This narrative structure is adopted by Connolly, Kee, Foster, Feely, and Whelan.

<sup>311</sup> *A Candid Enquiry*, 63-64.

<sup>312</sup> *Ibid.*, 64.

<sup>313</sup> See chapter 2, *passim*.

Far from leading the Whiteboys, it seems that the Catholic gentry of Tipperary were trying to put an end to their activities. Nicholas Sheehy may indeed have given encouragement to the Whiteboys, but his cousin came around to the opinion that “those poor ignorant fools, called White-boys,” should instead be persuaded to cease their activities.<sup>314</sup> After his attendance at Drumlommon, Edmond Sheehy says that he “endeavoured, as much as was in my power, to suppress the spirit of the White-boys, where I thought or suspected the least spark of it to remain.”<sup>315</sup> It appears that to the best of Edmond Sheehy’s knowledge, this campaign of persuasion was working. “I was informed that Mr. Tennison’s corn was burnt by one of his own servants, but accidentally,” in other words, this act which was attributed to the Whiteboys was merely a household accident.<sup>316</sup> Despite his protestations, and his claim that he was working against the Whiteboys, Edmond Sheehy was executed at age 33.<sup>317</sup>

*James Buxton* — The second of the three sub-gentlemen who was executed on 3 May 1766 was James Buxton. He claims to have known Toohy,<sup>318</sup> even if under alias: “one night on the 18th of September last, [John Toohy] lay at my house, and went by the name of Lucius O’Brien”.<sup>319</sup> Buxton then tells us the manner in which Toohy’s identity was revealed. The “next morning [...] William O’Brien of Clonmell, whom [Toohy] robbed of some cloaths two days before, [caught him] and [took him] to Clogheen for the same robbery; [...] he was committed to gaol, and there turned approver.”<sup>320</sup> This evidence shows us how Toohy came to give information against the Whiteboys.

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<sup>314</sup> *A Candid Enquiry*, 63.

<sup>315</sup> *Ibid.*, 65.

<sup>316</sup> *Ibid.* And therefore not an anti-export protest as far as Edmond Sheehy was aware.

<sup>317</sup> *Ibid.* One year older than Darby Brown.

<sup>318</sup> See above, 67-69, for Toohy’s evidence.

<sup>319</sup> *A Candid Enquiry*, 66.

<sup>320</sup> *Ibid.*, 66.

Furthermore, since he was in the habit of thievery, it also seems likely that he may have already been ostracized by the Whiteboys for his crimes.

Buxton, like both Sheehys, asserts his innocence in regards to the charges for which he has been condemned to death. Like Edmond, there is one exception. “I neither did any thing, nor was at any meeting, or levelling, that ever they swore against me, except Dromlemon”.<sup>321</sup> The meeting at Drumlommon appears to have been a moment in which the Catholic sub-gentry seriously considered allying themselves with the Whiteboys, but did not ultimately join the movement. Buxton insists, “I never heard, or ever learned, of a rebellion intended in this kingdom”.<sup>322</sup> If anything amounting to rebellion was intended, Buxton was not privy to it. This suggests two things. First, that he would not be since he was not involved with the Whiteboys for any substantial period. Second, that in any case the Whiteboys’ plans fell short of rebellion in Buxton’s estimation.<sup>323</sup> From this testimony, it seems likely that the Whiteboys did not have a connection to the Catholic elites. Even in terms of patronage they stood alone. Buxton never “heard that any merchant supplied, or intended to supply, any money for the Whiteboys”.<sup>324</sup> The Whiteboys were a society created and sustained by the peasantry—a radical idea in and of itself.

Buxton also gives us a lengthy account of his imprisonment and the manner in which he was treated by the Protestant gentry during his incarceration. Like Edmond Sheehy, he was pressured to turn informer. At the

last assizes of Kilkenny, where I stood indicted, and was arraigned, for the battle of Newmarket, the R. Mr. H-----n and the R. Mr. B-----k, [said]

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<sup>321</sup> Ibid.

<sup>322</sup> Ibid., 67.

<sup>323</sup> Could this be a reason why the Whiteboys were not ultimately patronized by the gentry?

<sup>324</sup> Ibid.

they would [...] procure my pardon, if I would turn *approver*, and swear to an *intended rebellion, treasonable conspiracies*, and a *massacre*; and all this against the principal *popish clergy* and *gentlemen* of my country, whose names they had set down in a long piece of paper; but wanted particularly to swear against ‘squire Wise, Philip Long, Dominick Farrell, Martin Murphy, Dr. C-----h, and Nicholas Lee; and that I should also swear that priest Sheehy *died with a lie in his mouth*<sup>325</sup>

While awaiting trial for his alleged participation in the Battle of Newmarket, Buxton was confronted by the same two ministers who attempted to get Edmond Sheehy to turn approver.<sup>326</sup> Several wealthy Catholics are mentioned by name, and the request is repeated that Buxton should swear that Nicholas Sheehy was in fact the leader of the Whiteboy movement. They also demanded that Buxton should swear

that I was at the battle of Newmarket, and received a letter from one Edmond Tobin to be at the said battle; and this, in order to corroborate the Informer Toohy’s oath, and the oaths of three others who swore they saw me there; one in particular swore he broke his fire-lock on my head.<sup>327</sup>

His presence at Newmarket would prove that the Catholic sub-gentry were participating in the plot to massacre the Protestants, and were leading an armed rebellion against the English crown. Furthermore, his presence there would add weight to the particular details of that Battle which would strengthen the case against the other members of the Catholic sub-gentry—Edmond Tobin in particular by reason of his correspondence planning the Whiteboy actions at Newmarket.

Although it appears that Buxton has no notion of the Whiteboys’ general scheme because he had not been involved with them since the meeting at Drumlommon in 1762, he could be considered relatively knowledgeable as to their local plans. Again in his dying declaration we see the importance of binding oaths, and a mediated belief that

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<sup>325</sup> Ibid., 67-68.

<sup>326</sup> Hewetson and Broderick, the former of which was also alleged by Toohy to be the reverend which Fr. Sheehy swore to murder.

<sup>327</sup> Ibid.

communal strength can be used to achieve commonly held goals—to defend against trespasses on the moral economy. Along with this, two of the central aims of the Whiteboys are professed:

As to the scheme of the White-boys, (as far as I could find out, in the parish of Tubrid, where I lived) nothing was meant but putting a stop to the oppressive and arbitrary valuations of tythe-jobbers; and for this end, the people agreed to deal with none but the immediate proprietors, and also to detect rogues, and robbers, and hinder their mischievous practices<sup>328</sup>

Middlemen collecting tithes are the main objects of discontent in Tubrid. In order to put an end to this oppression, the local Whiteboys created a compact similar to the one which Darby Brown's Whiteboys made in Waterford.<sup>329</sup> However, Buxton believes that the Tubrid Whiteboys had very circumscribed aims:

as to levelling, that I never, found out any such such thing to have been committed in said parish, of any consequence; but one ditch belonging to John Griffin, of Kilcoran; nor was I ever privy to any wall or ditch being levelled by White-boys, in the county of Tipperary, or any other county.<sup>330</sup>

However, the exception of Griffin's ditch in Kilcoran could indicate that, rather than not being 'Levellers' at all, the Whiteboys of Tubrid only considered this one particular ditch as an encroachment on their just claims to the commons. The levelling of Griffin's ditch is therefore an example of the implementation of *rechtge*. The very fact that Buxton was not privy to the levellings opens the possibility that he does not fully understand the concept of *rechtge* which the Whiteboys are enforcing. At the close of his dying declaration, Buxton swears that "I never approved of the proceedings of levellers, and that I frequently advised all such as I suspected of such vile practices, to desist".<sup>331</sup> He

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<sup>328</sup> Ibid., 68.

<sup>329</sup> See below, 115.

<sup>330</sup> *A Candid Enquiry*, 68.

<sup>331</sup> Ibid.

admits to having known a few of the Whiteboys, and even some that were participating in levelling, but he disapproved of their actions.

*James Farrell* — The final member of the sub-gentry who was executed with Edmond Sheehy and Buxton was James Farrell. The Farrell family history is similar to that of the Sheehys. They worked their way up to the position of middlemen tenants, and could even aspire to a small fortune by the 1760s.<sup>332</sup> This position must have recommended them to the prosecutors as potential Whiteboy leaders, or at least as accomplices to the Sheehys. Farrell declares his innocence even more stridently than either Sheehy, and only enumerates his accusations in order to refute them.

The crimes that I am to die for, are, 1st. the murder of John Bridge.  
 2dly. The Swearing allegiance at Kilcaroon;  
 3dly. The burning of Jos. Tennison's Corn, John Ferris's turf; and  
 being concerned in all other things that belonged to the White-boys.  
 4thly. The being at the battle of Newmarket, which I stood tryal  
 for.<sup>333</sup>

Farrell insists that he already stood trial, and was acquitted, for the Battle of Newmarket, and that like Sheehy and Buxton, he swore allegiance to no foreign sovereign either at Kilcaroon or anywhere else. Farrell reveals that during his imprisonment, Broderick and Hewetson also appeared to him in an attempt to get him to turn approver, and gave him a list of blacklisted Catholic sub-gentry to swear against which was very similar to, but more extensive than, the list which they gave Buxton.<sup>334</sup>

The attempt to get these men to turn king's evidence—become informers—is a common theme in all three of these dying declarations.<sup>335</sup> Another common theme is

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<sup>332</sup> Whelan, 7.

<sup>333</sup> *A Candid Enquiry*, 69.

<sup>334</sup> *Ibid.*

<sup>335</sup> This attempt to get the sub-gentry to turn reprovcr and attest to a planned rebellion, and their refusal to do so, echoes the fate of the Bothwell Covenanters. See 31 above.



that they all claim ignorance and distance from the Whiteboys. Sheehy and Buxton both admit to having entertained the Whiteboys' demands in 1762 when they attended the meeting at Drumlommon. Farrell, on the other hand, claims even greater distance; he insists that he did not even attend that meeting. "I solemnly declare to his divine Majesty, that I was never present at the levelling a ditch or wall in my life; nor was ever at a meeting, of any kind, of the White-boys."<sup>336</sup> If Buxton and Sheehy were partially suspicious due to their admitted though tentative involvement in the first wave of Whiteboyism, Farrell claims to bear no similar blemish. He never entertained the principles of Whiteboyism, he never engaged in a single one of the Whiteboys' activities, nor did he even interact with a known Whiteboy at any point. However, Buxton and the Sheehys demonstrate that there was a point at which the Whiteboys' logic appealed to at least some of the Catholic gentry.

The fact that Farrell, a member of the Catholic community, would distance himself so vehemently from Whiteboyism makes the final appendix of *A Candid Enquiry* all the more interesting. It recounts an incident in the repressions taken to end the Whiteboy movement near the end of 1766. A series of other trials followed the executions of the two Sheehys, Buxton, and Farrell. Roger Sheehy, another relative of Nicholas and Edmond Sheehy, was acquitted when the jury rejected John Toohy as an unreliable witness.<sup>337</sup> Other accused members of the Whiteboys were not so fortunate. Many were condemned to disfigurement and transportation. The "*Extract of a letter from Clonmell, September the 25th, 1766,*" tells the story of

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<sup>336</sup> *A Candid Enquiry*, 70.

<sup>337</sup> J. Sadler, *The Fate of Father Sheehy: A Tale of Tipperary in the Olden Time*, (Dublin: James Duffy & Sons: 1863), accessed 22 February 2017, <https://repository.library.nd.edu/view/503/fateoffathersheeoosadl.pdf>, 230.

—One Broderick, a felon, under a rule of transportation, (when they were taking him with other prisoners transmitted about ten days ago to Limerick, in order to be thence transported, stopped at the great door of Clonmell goal, and told them, “of the wicked methods, which were taken to prevail upon several of the prisoners, *to swear against innocent people*; particularly upon himself, *who had been always bred a protestant*.”<sup>338</sup>

His quoted words are worth lingering on. Broderick independently confirms the tampering with the witnesses attested to by Sheehy, Buxton, and Farrell. He insists on the innocence of the accused, presumably referring to those who had been executed, but perhaps thinking of himself and the others who were about to be transported for their alleged involvement with the Whiteboys as well. Finally, Broderick is himself a Protestant. It is possible that the Sheehy trials had swept up a Protestant merely accidentally, but it seems significant that the prosecutors were not only suspicious of Catholics alone in their attempt to illuminate the perceived pan-Catholic conspiracy.

The presence of a Protestant among the ranks of those condemned to transportation for their involvement in Whiteboyism may help to indicate the Whiteboys’ appeal to a broader section of the population than just Catholics struggling under the weight of tithes and middlemen.<sup>339</sup> However, the foregoing has demonstrated that besides Nicholas Sheehy, the presence of Catholic gentry in the Whiteboys’ organization was either non-existent or so slight as to have gone undetected even at a time when the magistrates were desperately attempting to discover this presence with the full belief that their life did indeed depend on the discovery. Although some of the Catholic sub-gentry may have agreed with the principles and aims of the Whiteboys, at least at first, they found their methods misguided or even abhorrent. This is

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<sup>338</sup> *A Candid Enquiry*, 71. The coincidence of names between this Broderick and the one which attempted to get the three sub-gentry Catholics to turn informer is curious.

<sup>339</sup> Recall the Protestant lawyer William Fant from Limerick. See “The Fants in Ireland,” *Fantstown Castle History*, accessed 12 March 2017, <http://www.fantstowncastle.com/thefants2.html>, for a brief account of his possible involvement with Whiteboyism.

unsurprising. The newly forming Catholic gentry would have had strong reasons for keeping things as they were—improving incrementally. However, a vulgar Marxist interpretation which would hold that class solidarity between landlords was more powerful than solidarity between the Catholic Irish is premature and anachronistic.<sup>340</sup> First, because there had been a moment in 1762 when it appeared that the sub-gentry would in fact ally themselves with the Whiteboy movement. Second because at least one member of the most locally prominent Catholic family, the Sheehys, did in fact support the Whiteboy cause. Finally, we have no true way of knowing the full extent of sub-gentry involvement with the Whiteboys. It merely seems suggestive that the prosecutors could not come up with a single member of that class who would admit to having been involved in anything more than the meeting at Drumlommon. Quite possibly, the sub-gentry had already seen their own lives improve dramatically, and they therefore held a sincere hope that this improvement would extend to the rest of society soon enough, without recourse to insurrection or infringement on property rights.

### Ready Money They Have Not

Property rights mean nothing for those without property.<sup>341</sup> Lilburne and Winstanley's opposition to tithes grew out of their belief that they represented an unbearable burden on farmers' property rights.<sup>342</sup> L.T. also makes this connection in *A Candid Enquiry*; the wages of the Catholic peasantry are barely enough to support them and their families, let alone the Anglican priests.<sup>343</sup> The proof for this assertion comes from *An Enquiry*,

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<sup>340</sup> But see O'Leary's condemnation of Whiteboys, 82-84.

<sup>341</sup> We have already seen that property rights for the Catholic peasantry are unsecure according to Campbell's *Philosophical Survey*, 72-78.

<sup>342</sup> See 23-24 & 27-28.

<sup>343</sup> *A Candid Enquiry*, 2.

which L.T. quotes at length. The author of *An Enquiry* conducts a lengthy examination of the causes behind Whiteboyism. The three cardinal causes are familiar: “the enclosing commons, the extravagant rent for potatoe ground, and the exorbitance of tythe-mongers.”<sup>344</sup> The first two are interrelated because the inflation of the price of tillage land was due to the increased profits which pasture enclosure represented. The second reminds us of the limited nature of the Whiteboys’ insurrection; they do not want to abolish tithes, merely alleviate their inflation at the hands of middlemen.

In *An Enquiry*, enclosure appears to be the foremost cause of the rioting in Munster. The Whiteboys are characterized as being motivated by a land based solidarity against the “monopolizer” of the soil.<sup>345</sup> The author describes at length how the population of Munster has fallen in direct proportion to the increase in the number of cattle and sheep being grazed. The peasantry are being forced out of their very homes, and their domiciles are destroyed to make room for the expansion of pasturage.<sup>346</sup> The author admits that it is within the legal rights of the landlords to evict tenants and replace their homes with pasture land, but he also declares that it is immoral. Simply because they are allowed to is no justification for depopulating the province.

The immorality of following the letter of the law is contrasted with what the author believes to be the traditionally paternal responsibilities of a landlord. He denies them the distinction of nobility because only those who observe these responsibilities deserve the honor of being considered lords. They are mere “landholders, for I would

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<sup>344</sup> Ibid., 30. For the ‘kindness’ of landlords for charging so much for potato ground, see the advisory letter written by “Antipotatoe in Wagstaffe, Jeoffrey. *The Batchelor*. Dublin: J. Hoey, 1772. Hathitrust. Accessed November 7, 2016. <http://hdl.handle.net/2027/uc2.ark:/13960/t84jom45d>, 96-101.

<sup>345</sup> Ibid., 32. Does the fight for commonage represents a one of the growing pains of capitalist market relations See also Thomas L. Leng’s, “‘His neighbours land mark’: William Sykes and the campaign for ‘free trade’ in civil war England.” *Historical Research*, Vol. 86 No. 232 (2013): 230-252. for a discussion of how the refutation of monopolies was formulated by the Levellers as a rejection of market capitalism.

<sup>346</sup> *A Candid Enquiry*, 34.

distinguish them from landlords” and their greed has kept the people slaves, denied them the ability to pursue a fulfilling life, and therefore curtailed the growth of Protestantism.<sup>347</sup> The landlords’ abandonment of their traditional responsibilities towards their clients has pushed the Catholic peasantry to breaking. They labor in poverty, with no hope of improvement. Without hope that the system will work for them, they will never convert to Protestantism and thus become full members of the Irish Kingdom’s polity.

The precise material conditions of the peasantry are investigated extensively by the author of *An Enquiry*, and his computations are worth quoting at length. He informs his reader that in Munster

It is not uncommon [...] to charge from four to five guineas per acre for potatoe ground; but we shall suppose the price but four guineas, that is 91 shillings. The daily wages for labourers is four pence per day; there are 365 days in the year, of which there are 52 Sundays, and suppose but 13 holidays, the remainder is 300 working days, the wages for which are 100 shillings, that is nine shillings above the price of their land, of which five shillings are paid for tythe, and two for hearth money, and the remaining two go towards the rent of their cabin. What is left? Nothing [...] Ready money they have not; for where can they get it? The rewards of their labour goes in payment of their rent; they can seldom amass the mighty sum of two shillings to pay their hearth-money; the collector must distrain in general before they can compass it by loan or intreaty. How then shall they collect five shillings for tythe? Tythes they would not love were they able to pay them, but they hate them doubly from their poverty.<sup>348</sup>

The peasantry have no money. If they wish to feed and clothe themselves, then they must live in constant debt, which—under the *The Distress For Rent Act*—is collected from whatever real estate they might possess.<sup>349</sup> Furthermore, the annual wage of 100 shillings presupposes that every single day of the allotted 300 working days is spent in

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<sup>347</sup> Ibid., 35. See *An Alarm* on 51. See also *enech* on 37-38.

<sup>348</sup> Ibid., 35-36. Hearth money was the tax paid to the royal household.

<sup>349</sup> See above, 42-43 for the peasantry’s hatred of the *Distress for Rent Act*.

labor, with absolutely no allowance for sickness, inclement weather, or any of the Catholic holidays. Certainly, there is no option for saving enough to one day purchase freehold land.<sup>350</sup> Most importantly, the income of 100 shillings presupposes that they do not spend a single day tilling their own land—their only source of sustenance. The desperation of this poverty, and the inflation of tithes which resulted from the middleman's cut, provoked the Whiteboys' hatred of tithing.<sup>351</sup> Five shillings, the amount due before the middleman's fee, is 5 percent of the cited annual income, and represents fifteen days worth of labor of the three hundred allotted them by *An Enquiry*.<sup>352</sup> Any attack on communal property—where the poor could perhaps augment their income by raising livestock of their own or growing surplus food—was more than just a transgression against moral economy. Enclosure was an existential threat.<sup>353</sup>

Taxes, tithes, and enclosure have antagonized the Munster peasantry to the point of desperation, and it is this desperation which gives impetus to the Whiteboys. The author of *An Enquiry* engaged in his study of the rural poor “to shew there are other causes than religion for these tumults.”<sup>354</sup> In fact, in *An Enquiry*, religion does not even figure into the Whiteboys' moral economy except insofar as the tithes which are paid to the Anglican church are especially odious.<sup>355</sup> However, *An Enquiry* is quick to assure its readers that the Whiteboys' desperation has not led them to a complete rejection of the Irish government.

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<sup>350</sup> See *sóer-rath*, in *Críth Gablach*, 107.

<sup>351</sup> An economic concern, not an assertion of freedom of conscience.

<sup>352</sup> See the immense reward offered for the capture of Whiteboy leaders, and the even larger reward for information linking those leaders to the Battle of Newmarket.

<sup>353</sup> See Marx, *Capital*, 788.

<sup>354</sup> *A Candid Enquiry*, 37.

<sup>355</sup> We have seen that they ended up wanting an amelioration of all church fees. See, 84 above.

No man is innocent who disturbs the peace of society; [...] but there is a gradation in guilt, and justice will not call the man, who rashly snatches a weapon to defend himself or punish an aggressor, equally criminal with him, who shews a deliberate settled purpose of murder or rebellion.<sup>356</sup>

Again, the Whiteboys' actions are distinguished from a rebellion. *An Enquiry* does not call them insurrectionary in our sense, but it is clear that he who fights merely in self-defense is justified in his actions at least to a degree. Their material conditions are an attack on the Munster peasantry, and therefore constitute a justification for their participation in Whiteboyism.

### Darby Brown

The Whiteboys' moral economy led them to a defensive insurrection to prevent enclosure and negotiate the payment of tithes. Their moral economy was founded on the filtration of *rechtge* into the consciousness of the eighteenth century Irish peasantry. Without writing or documentation from any of their leaders, it is hard to theorize about what it was that *rechtge* entailed for the Whiteboys. *An Alarm*'s appendix is intended to support its anonymous author's assertion that the Whiteboys have "no Disaffection to the Government, or Intention of Rebellion".<sup>357</sup> However, the dying declaration of Darby Brown in that appendix also provides evidence that they were not as aimless as the elites believed. In his final words, Brown enumerates his belief as to the commandments of *rechtge*, even if he does not use that word himself.

Brown was probably the wool-comber referenced by *An Alarm* as the Whiteboy's chieftain.<sup>358</sup> He and the four men who were executed alongside him on 7 July 1762 are

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<sup>356</sup> *A Candid Enquiry*, 37.

<sup>357</sup> *An Alarm*, 31.

<sup>358</sup> *An Alarm*, 12. See Maria Luddy, "Whiteboy Support in County Tipperary: 1761-1789," 69, for the possibility that this wool-comber was in fact one James Hyland. See 50-52 for the queries.

among the only Whiteboys whose identities, crimes, and fate we know for certain, and they are the only Whiteboys whose voices we hear speak.<sup>359</sup> Darby Brown, his brother Patrick Brown, David Ahearn, Richard Healy, and Richard Power were “all found guilty of Treason, for burning the House of *John Fowlloe*, at *Monehue*, near *Caperquin*, in the County of *Waterford*.”<sup>360</sup> The destruction of John Fowlloe’s house was viewed by the judge and jury as an act of treason. Treason was the way these Whiteboys’ actions were perceived, even if *An Alarm* and Brown did not believe that their actions were treasonous.

In Brown’s last speech, he tells us that he “was born at Bally-Inn near Lismore” in Waterford.<sup>361</sup> He was 32 years old,<sup>362</sup> making him the oldest of the five Whiteboys executed on 7 July 1762. The reason why he was the one who spoke for all five may have been that he was the only one of these subalterns literate enough to write a declaration, or the only one who was even bilingual. It seems unlikely that he spoke for them out of their deference to his elevated status amongst them. He is careful to emphasize that he was not a leader in the traditional sense, from whence *An Alarm*’s scorn for this wool-comber.

Darby and Patrick Brown, along with two of the others, were born and raised in the same parish. David Ahearn was born near Clogheen, Tipperary and later joined the others in Waterford. Brown gives us a short history of his group’s involvement with Whiteboyism. According to Brown, they

all led an honest and laborious Life ‘till *January* last [1762], when finding the Levellers or White Boys in the County of *Tipperary*, had partly

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<sup>359</sup> See Donnelly Jr., “The Whiteboy Movement,” 28, 40, 46, 48, & 50, for other Whiteboys’ identities.

<sup>360</sup> *An Alarm*, 12.

<sup>361</sup> *Ibid.*

<sup>362</sup> He would have been eleven at the time of the Famine of 1740-41.



succeeded in redressing some of the Grievances they complained of, by levelling Ditches, which they assured themselves were raised upon Commons; we unhappily had a Meeting last *Candlemass*, to the Number of Eighteen<sup>363</sup>

Brown presents the logic behind his group's involvement in Whiteboy activities as a mimicry for the purpose of reproducing the rumored successes of similar actions across the border in Tipperary, where Ahearn was from. He does not say that he and his associates were inspired by the rhetoric or arguments of some representative of a Whiteboy establishment, but rather claims that they became Whiteboys purely because of the logic of results. On 2 February 1762, "without any Authority over us," Darby Brown, his present "Fellow-Sufferers", and thirteen like-minded individuals swore five oaths.<sup>364</sup> That the eighteen men had no authority over them is significant for two reasons. First, it refutes the assertion that the Whiteboys in question were subservient to a foreign king or power. Second, it means that the Whiteboys had no internal command structure which inaugurated new members according to a standardized oath. Brown hints that his 'cell' may not have even considered themselves Whiteboys. They were mimickers of the 'Levellers,' formed on an *ad hoc* basis for redressing their own local grievances. This decentralization was one of the Whiteboys' key strengths.<sup>365</sup>

Nevertheless, the five oaths which Darby Brown and his associates swore on 2 February 1762 can give us a special insight into the concerns of Ireland's rural poor—or at least those who decided that direct action was a tool both appropriate for and capable of solving their problems—beyond those already presented from an elite perspective. As

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<sup>363</sup> Ibid., 31-32.

<sup>364</sup> Ibid.

<sup>365</sup> Though as we said in connection to subaltern studies, it makes it very difficult to say anything comprehensive about the Whiteboys.

far as Brown and his fellow sufferers are representative of a community of interest, these were the Whiteboys' principle tenets:

1. To be true and faithful to each other.
  2. To pull down the Ditches erected on Commons, for trespassing on which, our cattle had so often been pounded.
  3. To Do all in our Power to hinder any one from taking the little Concerns we held, when out of Lease.
  4. Not to admit any Tythe Farmer to meddle with our Tythes, but to pay them to the Minister or his Proctor.
  5. To be true to *Sive* and her Children.
- By *Sive*, we meant a distressed harmless old Woman, blind of one Eye, who still lives at the Foot of a Mountain in the Neighbourhood. By her Children, all those that would join us for the aforesaid Purposes.<sup>366</sup>

These five oaths are the *rechtge* adhered to by Brown's Whiteboys. The first tenet illustrates the community of interest which these Whiteboys formed. At first it may have been limited to just the eighteen men in question, but it eventually extended to anyone willing to take this or a similar oath. The second, third, and fourth items enumerate the reasons why the Whiteboys organized in the first place, and what they hoped to accomplish by organizing. They wish to perpetuate commonage, assure fixity of tenure, and prevent middlemen from inflating tithe payments. These are rather limited aims. Unlike the Levellers and Diggers, these Whiteboys do not assert that all land should be held in common, or that landlords must be overthrown, or that tithes should be abolished.<sup>367</sup> Their aims instead form a moral economy which is concerned primarily with a notion of fairness derived from *rechtge*. Lands understood to be common should remain so, and cattle should be allowed to graze there freely. Items distrained shouldn't be taken and sold even after a lease is up, and when a lease expires the previous tenant should have the ability to re-lease before anyone else. Tithes must be paid directly to the

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<sup>366</sup> Ibid., 32.

<sup>367</sup> Contra Levellers and Diggers. See 17-28 above.

minister or proctor whose due they are, and the fees of middlemen should not be allowed to accumulate at the expense of those who pay the tithes. These limited aims inform us that the Whiteboys were mostly concerned with their means of sustenance: the land.

The fifth item is more complicated than the other four, as Brown himself admits by adding the explanatory clause after it. Sive appears to be a *sean bhean bhocht*<sup>368</sup> figure common to the various Whiteboy associations. If anyone was an authority over the Whiteboys, it was she.<sup>369</sup> Sive could represent a continuity of local folklore; Sive is phonetically similar to *sidhe*, ‘fairy,’ and therefore it is possible that Sive was the spirit which embodied the local *rechtge*. Sive also echoes *aisling* poetry—a style of poetry popular after the Tudor period in which a beautiful young woman who personifies Ireland appears in a dream, begging the protagonist to rescue her.<sup>370</sup> Likewise, Sive is probably not a real human person, but rather a personification of Ireland and the material conditions of Ireland’s rural poor.<sup>371</sup> Unlike *aisling*, Sive is a mangled and elderly figure. When Darby Brown speaks about “her Children” he is giving us a picture of the community referenced by the first oath which he and his fellow Whiteboys swore.<sup>372</sup> Anyone who has a cause similar to the aims encompassed by the second, third,

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<sup>368</sup> The Poor Old Woman. For more on Irish representational women, see Máirín Nic Eoin, “Secrets and Disguises? Caitlín Ní Uallacháin and Other Female Personages in Eighteenth-Century Irish Political Poetry,” *Eighteenth-Century Ireland / Iris an dá Chultúr*, Vol. 11 (1996): 7-45, accessed 12 December 2016, <http://www.jstor.org/stable/30070591>.

<sup>369</sup> *An Alarm*, 32. She was also known as Queen Sieve, *Sadb Amhaltach*, or ‘Ghostly Sally’. See Joan Meskill, 68, strictures against fictional personalities, 60, and ‘Ever Joyce,’ 34. See again Natalie Zeman Davis’ “Women on Top,” especially pages 148-151. For other oaths sworn to Sive or one of her counterparts, see Donnelly Jr., “The Whiteboy Movement,” 27-30.

<sup>370</sup> See, for example, the poetry of Aogán Ó Rathaille.

<sup>371</sup> Furthermore, she could have been incarnated in an actual old woman who incited these boys to rise in insurrection. I am thankful to Gregory Moynahan for the suggestion that the Levellers’ and Diggers’ understanding of the function of the Holy Spirit as a subversion of vertical hierarchy may have been similar to the Whiteboys’ conception of the allegiance owed to Sive.

<sup>372</sup> *An Alarm*, 32.

and fourth oaths is a child of Sive. The fact that she “still lives at the Foot of a Mountain in the Neighbourhood” indicates that the Whiteboys’ grievances have not been resolved, and therefore Sive’s cause lives on.<sup>373</sup> Although Brown and his fellow sufferers died on 7 July 1762, Sive continued to live at the foot of that neighboring mountain, and Her Children everywhere continued to level ditches and fences. Brown claims that “it [never entered] into our Thoughts to do any Thing against the King or Government,” but the oaths which he and the Whiteboys swore imply that there is a potential contradiction between the demands of the King and Government, and the justice which is due to Sive in her role as a personification of moral economy. Even if the Whiteboys simultaneously asserted that they were not contesting the sovereignty of King George III,<sup>374</sup> this potential contradiction demonstrates that the Whiteboys had their own view as to the responsibilities of government: *rechtge*.

Between January and July, Darby Brown and his fellow sufferers engaged in surprisingly few Whiteboy activities. Brown lists three nights when he was present and assenting to the Whiteboys’ actions, but on two other nights, he claims to have been against the actions undertaken.<sup>375</sup> Levelling enclosures seems to have been the limit of the activity which Brown condoned: “we proceeded to level Part of Mr. *Grath*’s Ditch on a Mountain. We were present two Nights more at levelling some Ditches, but gave no Assistance but by our Presence.”<sup>376</sup> Mr. Grath appears to have been a small farmer in Waterford who attempted to enclose a stretch of wasteland for the grazing of his cattle alone, which prompted the Whiteboys to level the ditches he had created for this

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<sup>373</sup> Ibid.

<sup>374</sup> Ibid.

<sup>375</sup> *Rechtge*’s regulations may not have been uniform even within a single Whiteboy cell.

<sup>376</sup> *An Alarm*, 32.

purpose. The other two nights when Darby Brown approved of the Whiteboys' actions he may have only stood as look-out or sentry while others actually did the levelling. However, Brown says that when "Mr. *Musgrave's* Ditch, at *Mullin-Lour* was levelled, not one of us was present".<sup>377</sup> Furthermore, Darby Brown insists that "I was resolved to do my Endeavours to dissuade them from levelling any more of Mr. *Musgrave's* Ditches".<sup>378</sup> The Musgrave alluded to is probably Sir Christopher Musgrave,<sup>379</sup> who was the lord of Tourin, a large estate in the parish of Lismore near Cappoquin.<sup>380</sup> The reason for Brown's desire to desist from levelling Musgrave's ditches may have been that he did not want to attract negative attention from such a powerful landlord, or he may have felt that Musgrave, unlike Grath, had not transgressed against the reciprocal relationship dictated by *rechtge*. In Brown's moral economy, middlemen were the only legitimate target for Whiteboy sanctions.

In order to lend weight to his desire to put an end to the levelling of Musgrave's ditches, Brown decided to tacitly go along with another scheme. "Those who [levelled Musgrave's ditch], came to a Resolution to pull down the cottage of *John Fowlloe* at *Monehue*, to drive him from the Place, and force his Landlord to set it to an honest Man."<sup>381</sup> This gives us a glimpse of who Fowlloe may have been: a tenant, considered dishonest perhaps for taking the lease of a friend of the Whiteboys. However, it is

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<sup>377</sup> Ibid., 33.

<sup>378</sup> Ibid.

<sup>379</sup> Dictionary of Irish Biography Article on Richard Musgrave, Accessed 1 December 2016, <http://dib.cambridge.org/viewReadPage.do?articleId=a6121&searchClicked=clicked&quickadvsearch=yes>. His son was Richard Musgrave, whose *Memoirs of the Different Rebellions in Ireland* took a notably hostile view of Father Nicholas Sheehy.

<sup>380</sup> OÉ Gaillimh Article on the Musgrave Family Estate, Accessed 28 November 2016, <http://landedestates.nuigalway.ie/LandedEstates/jsp/family-show.jsp?id=3233>.

<sup>381</sup> *An Alarm*, 33.

Fowloe's landlord who is the true target of the house burning; Fowloe and his family merely get in the way.<sup>382</sup>

Brown states that he hoped to have his voice heard in the matter of leveling Musgrave's ditches and to prevent any physical harm to the persons of Fowloe and his family by his presence at the conflagration. The association of Whiteboys had grown more than ten times its original size, but Brown says that even though "the Number that Night was near two Hundred, I imagined my influence might prevail, as I acted one Night among them as Captain (such as the *May-boys* have:)"<sup>383</sup> Brown hoped that his position as an elected captain over two-hundred of the Whiteboys would be remembered by them, and that they would therefore heed his call to cease levelling Musgrave's ditches, and listen to his protest "against any Cruelty being offered to *Fowloe*, Wife or Children".<sup>384</sup> The election of a rotating captain, according to the way the leader of May-Day celebrations is elected,<sup>385</sup> forms the basis of the assertion that Brown was the leader of the Whiteboys. Unfortunately for Fowloe, however, Brown was not actually the captain on that fateful night.

John Corkeran—who later turned king's evidence and became an informer on the Whiteboys—was insistent on the burning of Fowloe's cabin that night. According to Brown, his "four Fellow-Sufferers acknowledge the Proposal was to pull the House down first, and then to make a Bonfire of the Materials: But *John Corkeran*, who that Night was *May-Boy* Captain, saved us any Trouble by burning the House himself."<sup>386</sup> The rotational structure of the captaincy meant that Brown's merciful intentions were

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<sup>382</sup> The Fowloes might be considered collateral damage in the fight to assert moral economic rights.

<sup>383</sup> Ibid.

<sup>384</sup> Ibid.

<sup>385</sup> Whelan, *Tree of Liberty*, 93.

<sup>386</sup> *An Alarm*, 33.

circumvented by the actions of the man who was in charge on the evening in question. Even though it was Corkeran who was in charge, Brown dies for the crime and is remembered as the leader of the Whiteboys because Corkeran turned king's evidence in exchange for a pardon. Before he dies, Brown forgives "all those who were instrumental to our Prosecution, particularly *John Corkeran* and *John Fowloe*" in the hopes that his own crimes will be forgiven by Jesus Christ.<sup>387</sup> Corkeran and Fowloe presumably were able to attest to the fact that Darby Brown, Patrick Brown, David Ahearn, Richard Healy, and Richard Power were all present at the burning of Fowloe's cabin and that Darby Brown was a one-time captain of the Whiteboys. The thirteen other members of the original society are not mentioned, nor are the one hundred and eighty one others whom Brown claims were also present at the inferno.<sup>388</sup>

The final insight which the Appendix of *An Alarm* gives us into the Whiteboys is the age demographic of their members. As noted above, Darby Brown, at 32, was the oldest Whiteboy executed on 7 July 1762. His younger brother, Patrick, was 26. Their associate from Tipperary, David Ahearn, was the youngest at 25. The two Richards, Healy and Power, were 30 and 29 respectively.<sup>389</sup> These men would have had their own private tenements, even if they did not live far from where they were born. They probably would have been family men, leaving widows and orphans behind. This indicates that, with full knowledge of the consequences of their actions, they would not have risen in riot without a cause to motivate them which they considered worth the

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<sup>387</sup> Ibid., 34.

<sup>388</sup> Though two other Whiteboys were executed later in July.

<sup>389</sup> Ibid.

risk.<sup>390</sup> Perhaps Brown's entire final speech is just an attempt to hedge his aims and apologize in the hope of last minute mercy. However, the fear of God is a powerful incentive to be truthful in one's final moments.<sup>391</sup> This dying declaration should therefore be taken at its face. It is more likely that these Whiteboys either did not believe that their insurrection would result in their deaths, or that they had already resolved to enforce *rechtge* even if they had to pay the final price.

### Eacnamaíocht Mhorálta

Darby Brown's dying declaration provides us with an invaluable insight into the moral economy of Ireland's Whiteboys and the rural poor by extension, and also into a debate over what methods are legitimate for its defense. Brown and his Whiteboys resented the enclosure of common land and tithing as impositions on their livelihood—together these two grievances constituted a threat to the Whiteboys' very existence. However, the Whiteboys wanted to be able to subsist on the land which they farmed. They did not demand the abolition of tithes or the establishment of a communal utopia; an amelioration of their grievances would have satisfied the demands of their moral economy. The Whiteboy insurrection was a protest informed by *rechtge*—not an overthrowing of the social order, but merely an implementation of the demands of justice as they understood them.<sup>392</sup> This understanding of the social function of limited protests could help to explain the difficulty which subsequent elites in Ireland had in convincing the common people that a full scale rebellion against the English

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<sup>390</sup> For the crowd's understanding of the risk undertaken by rising in insurrection, see Thompson, "Moral Economy of the English Crowd," 120.

<sup>391</sup> Again, recall Guha's argument concerning the Santal *hool*.

<sup>392</sup> See section V, *passim*, of Thompson's "Moral Economy of the English Crowd."



government in Ireland was legitimate.<sup>393</sup>

The material conditions of Ireland's working classes were desperate; they did not truly participate in the economy even though they were subjected to its negative ramifications repeatedly. Despite their desperation, they believed that an adherence to and enforcement of *rechtge* could rectify the injustices they experienced. An essentially conservative traditionalism informed this belief, but paternalism is not a concept robust enough to encompass the nuances of the Whiteboys' moral economy.<sup>394</sup> Specifically, the Whiteboys' moral economy also allowed for the legitimacy of pressure from below in order to insure adherence to *rechtge*.

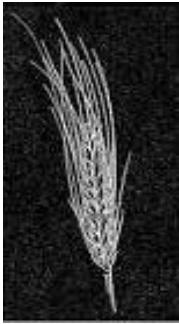
The peasantry could endure the iniquity of eighteenth century Ireland's hierarchy, but they needed an assurance that the social order at least guaranteed their survival. Even when it did not, this failure did not necessitate its overthrow. It merely meant that the established avenues of justice had to be augmented. The Whiteboys accomplished this augmentation through the tribunals attested to by the Catholic gentry who attended the levelling at Drumlommon; even fellow Whiteboys were liable to be punished for their transgressions against moral economy. The Whiteboys also codified a system for selecting their own representatives—the one by which Darby Brown was elected captain and his ill-fated successor was chosen. Darby Brown's dying declaration shows us that the moral economy of the Whiteboys entailed more than a rejection of tithes and a levelling of enclosures. Their program certainly involved these twin grievances, but there were times when an enclosure was perceived as legitimate even if not entirely just. Security of tenure and staving off the predatory middlemen were also

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<sup>393</sup> The Society of United Irishmen and Young Ireland for example. Although there is a potential argument to be made that the masses were laboring under false consciousness.

<sup>394</sup> For the paucity of paternalism, see Thompson, "Moral Economy of the English Crowd," 98.

important concerns, but none of these aims could be effected without the support of a community of action. When they violated *rechtge*, the gentry—both Protestant and Catholic—proved themselves unreliable allies. In order to force them to uphold their side of the lord/client relationship, the Whiteboys and the groups inspired by their successes formed their own communities of action. By combining together, they hoped to redress their grievances on their own terms if the landlords proved unresponsive. The impetus for this solidarity was derived from *rechtge* and embodied by Sive, and it was proven perennial by the fact that she outlives Darby Brown.



### The Wind That Will Shake the Barley

*“Let us leave theories there and return to here’s here.” (Finnegans Wake, p. 76, ln. 10).*

The narrative of the Whiteboys which emerges from the dying declaration of Darby Brown is, at first glance, a story of a local group with limited aims. In 1761, the peasants in Northern Waterford, near the Knockmealdown Mountains, became aware that the “Levellers or White Boys in the County of *Tipperary*, had partly succeeded in redressing some of the Grievances they complained of, by levelling Ditches”.<sup>395</sup> By January of 1762, this knowledge was circulating among Brown’s cohorts in Lismore and Cappoquin. On 2 February 1762, seventeen of Brown’s acquaintances met and swore a series of oaths to each other and Sive for the purpose of initiating a secret society which would work together to insure commonage, guarantee fixity of tenure, and curtail Anglican ministers’ use of middlemen to collect their tithes.<sup>396</sup> Between February and July, these Whiteboys levelled four ditches, and burned the house of John Fowloe as a warning to his landlord not to rack rents. During this time, their membership swelled to over 200 people drawn from the local peasantry. On 7 July 1762, five of the original members

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<sup>395</sup> *An Alarm*, 31.

<sup>396</sup> *Ibid.*, 32.

were executed on the testimony of one of their elected captains who had been imprisoned for his part in burning down Fowloe's house.

This story is similar to that of many other groups of Whiteboys who rose up against enclosure and tithes across Waterford, Tipperary, Cork, Limerick, Kilkenny, Laois, Galway, Wexford, Clare, and Carlow. It is also analogous to the origins of later groups which practiced 'Whiteboyism' in Roscommon, Offaly, Wicklow, Kildare, Cavan, Monaghan, Tyrone, Fermanagh, Antrim, Derry, Armagh, Down, and Dublin as well as the above mentioned counties. This geographic spread indicates that despite the limited and local aims of individual Whiteboy groups, Whiteboyism grew into a significant political force.

Whiteboyism spread as the peasantry either recognized—like Darby Brown—that it was an effective means of communal action, or when they independently came to the conclusion that a method of working among themselves against enclosure and tithes was necessary. The material conditions of the Irish peasantry convinced them that the reciprocal demands of *rechtge*<sup>397</sup> were not being met by their immediate lords, and they banded together in oath-bound secret societies to get justice on their own terms.

However, this did not lead the peasantry immediately to a contestation against the government of Ireland. Many contemporary observers understood the limitedness of the Whiteboys' actions, and labelled them an insurrectionary rabble.<sup>398</sup> Nevertheless, the government in Dublin perceived these insurrections as dangerous rebellions, and responded to the Whiteboys with an imposition of martial law and a series of legislative

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<sup>397</sup> Early Irish law concept used to designate both the customary rights of the peasantry and the canon of written law in effect in a given area. *Rechtge* contained a strong imperative towards reciprocity in the lord/client relationship which was redressable by the peasantry if violated by the lord. See above, 36.

<sup>398</sup> "Participants" in Guha's terms. Guha, "The Prose of the Counter-Insurgency," 48.

sanctions. Contemporary observers of the Whiteboys tended to fundamentally misunderstand them, but elite accounts form the overwhelming majority of our sources on the Whiteboys. Without these accounts, we would not be able to reconstruct the reasons behind the Whiteboys' insurrection. As Thompson reminds us, the moral economy of a particular crowd is "informed by general notions of rights which disclose themselves most clearly only when one examines the crowd in action."<sup>399</sup> Without the elite accounts of the Whiteboys, we would have no record of their actions. These accounts thus inform us that the enclosure of common land and tithes were deeply entrenched grievances for the rural poor. By reconstructing the Whiteboys' moral economy, we can understand that without a redress of these grievances, government repression could only impose a temporary veneer of calm on rural Ireland.

The historical development of moral economy demonstrates both how much the peasantry despised the iniquities of tithes and that they viewed the enclosure of common lands as a threat to their very existence. Thompson conceived of his theory of how to reconstruct a group's rationale in an English context, and to elucidate moral economy's historical development we looked at the theories of the Levellers and Diggers. Moving beyond moral economy's homeland, we examined the practices of Covenanters and Houghers in order to find two potential practical implementations of moral economy. In conjunction with *rechtge*, these instances of the implementation of moral economy helped us to understand the reasons behind the actions which the Whiteboys took in defense of their own moral economy.

For the Whiteboys, *rechtge* entailed access to the commons, freedom from middlemen, and fairly assessed tithes. The methods to enforce *rechtge* sanctioned by

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<sup>399</sup> Thompson, "Moral Economy of the English Crowd," 98.

the Whiteboys' moral economy included levelling, refusal to pay tithes, ostracism of middlemen, and para-legal justice against both their own members who deviated from these methods and outsiders who violated *rechtge*. The Whiteboys were no mere rabble.<sup>400</sup> Their complex of beliefs as to the kind of justice which *rechtge* demanded concerning agricultural dignity caused them to view their insurrection as necessary. This belief in the legitimacy of their protests insured that risings of the poor in rural Ireland would be an endemic feature of Irish life throughout the eighteenth century and beyond.

Moral economy has given us an important insight into the difference between an insurrection and a rebellion, and how the two can be linked rather than opposed. Without knowing what the Whiteboys believed about their "traditional rights or customs," we would not know if we should believe those who call the Whiteboys rebels or those who call them a rabble.<sup>401</sup> By reconstructing their moral economy, we have learned that neither view is true. The Whiteboy insurrection was a logical defense of what they believed to be their due privileges—as informed by *rechtge*—carried on using methods which they believed were warranted. The Whiteboys themselves had limited aims, but agrarian insurrection could lead towards a defensive rebellion in a society whose sovereignty is as closely tied to the land as it was in Ireland. This is especially true if the government fails to redress the grievances of the insurrectionaries.

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<sup>400</sup> For a cogent refutation of the use of the word 'rabble' to describe crowd action, see Diarmaid Ferriter, *A Nation and not a Rabble: The Irish Revolution 1913-1923*, (London: Profile Books, 2015), especially pages 2-10. I am grateful to Professor Staunton for the loan of this insightful book.

<sup>401</sup> Thomson, "Moral Economy of the English Crowd," 78.

## The Use-Value of Moral Economy

In Thomas Bartlett's 1983 essay "An End to Moral Economy: The Irish Militia Disturbances of 1793," he claimed that the Irish moral economy had ended in 1793.<sup>402</sup> The date Bartlett set for moral economy's funeral was perhaps premature. For one thing, Ireland experienced violent repressions many times before 1793, and these repressions did not break the continuity of moral economy; we have seen that they certainly did not preclude risings of the poor in defense of their traditional rights. More importantly, this study of the Whiteboys has demonstrated that a moral economy informed by *rechtge*<sup>403</sup> does not just imply "mutual obligations and shared responsibility".<sup>404</sup> Moral economy theory allows the historian to understand how the 'crowd' justified their protests, and therefore helps us to understand what subalterns believed were legitimate methods for achieving legitimate aims. It may be more accurate to state that the methods necessary to effect a redress of transgressions against *rechtge* changed after 1793. After more than a quarter century of insurrection, the government still only responded to Whiteboyism with repression. This continued repression, with no hope of redress, convinced the poor that an insurrectionary protest against enclosures and tithes was no longer enough; a rebellion was necessary. Although this is conjecture, it seems plausible to claim that at least one later group, the Defenders,<sup>405</sup> did not break with the concept of moral

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<sup>402</sup> Thomas Bartlett, "An End to Moral Economy: The Irish Militia Disturbances of 1793," *Past & Present*, no. 99 (1983): 41-64. <http://www.jstor.org/stable/650584>. Also in *Nationalism and Popular Protest in Ireland*, C.H.E. Philpin, ed., 191-218. Food rioting cannot be separated from the land, and those who have access to it. Furthermore, as Thompson demonstrates in "Moral Economy Revisited," Ireland did have its own tradition of food rioting.

<sup>403</sup> Or a similar concept. An analogous example might be the development of *ubuntu* in South Africa.

<sup>404</sup> Bartlett, 44.

<sup>405</sup> The Catholic agrarian society which can be perceived as an inheritor of Whiteboy methods with much more radical and rebellious aims. Some Defenders fought alongside the United Irishmen in the 1798 Rebellion. Their victory at the Battle of Oulart Hollow was their high point.

economy. Rather than a break with moral economy, they instead represent a more organized instantiation of its defense than the Whiteboys.

Rather than abandoning moral economy as a useful category of analysis in Ireland after the 1790s we should instead analyze new groups through the lens of moral economy. The Defenders would be a particularly excellent starting place for this endeavour. Like the Whiteboys, they were more written about than writing. They seldom left evidence in their own words in the historical record, though they did leave more behind than the Whiteboys. Also like the Whiteboys, the Defenders were a secret oath-bound society whose actions give us a window into the beliefs of the poor since the majority of their members were drawn from the lower classes. Unlike the Whiteboys, there was no elite equivocation as to whether the Defenders' actions represented a limited insurrection or a rebellious overthrowing—especially not after the 1798 Rebellion. In a further study, it may be discovered that moral economy is a concept just as salient as nationalism when it comes to analyzing Irish uprisings.<sup>406</sup>

If there was a serious break in the continuity of moral economy in Ireland, it was *An Gorta Mór*—the Great Hunger of the 1840s-50s. The Great Hunger demonstrated that the English government had totally abandoned all calls to reciprocity. Other scholars have argued about whether The Great Hunger was a genocide or a miscalculation.<sup>407</sup> For our purposes, it would be more material to attempt to elucidate a moral economy for all the various classes involved. The moral economies of Protestant landlords, wealthy Catholics, and the peasantry were all violated on some level by the failure of the English government to supply adequate relief—a problem which would

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<sup>406</sup> I am making an argument particular to Irish historiography here, but see also Thompson, "Moral Economy of the English Crowd," section IX, *passim*, for the salience of moral economy more generally.

<sup>407</sup> See Coohill, *Ireland: A Short History*, 74-78 for a brief summary of this debate.



manifest itself with similar consequences in the Indian Famines of the later nineteenth century.<sup>408</sup> In constructing this analysis, we would do well to remember that moral economy was not just ‘reciprocal relationships and traditional rights.’ These were key aspects of the moral economies of the crowds on which Thompson first tested his theory, and in this project it turned out that these aspects—nuanced by *rechtge*—formed the basic foundations of the moral economy of the Whiteboys. However, it does not matter whether a break in the Irish moral economy came in 1793, 1845, or 1916. At most this break represents an end to *rechtge*’s importance for the governing class. A group’s moral economy exists independently of the features of Thompson’s description of the particular moral economy of the English crowd in the eighteenth century. It isn’t that certain groups have moral economy, but rather that human beings’ collective actions can be potentially analyzed in order to elucidate their own specific moral economy.<sup>409</sup>

### The Voice of the Voiceless

Moral economy is a feature of any human aggregation, even if it is a concept which can be more easily developed in relation to the specific peasant cultures discussed so far.<sup>410</sup> Although this study of the Whiteboys has emphasized their belief in the reciprocity of the lord/client relationship, and the ways in which that belief shaped their insurrectionary protest against tithes and enclosure, moral economy does not depend on an enforced reciprocity for its existence. Indeed, it was precisely because of the transgression against the reciprocity demanded by *rechtge* that the Whiteboys rose up

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<sup>408</sup> See *Late Victorian Holocausts: El Niño Famines and the Making of the Third World* by Mike Davis, newspaper review written by Amartya Sen, “Apocalypse Then,” *The New York Times*, February 18, 2001, accessed 1 May 2017.

<sup>409</sup> Again, I am arguing against Bartlett’s “End to Moral Economy”. See especially page 63.

<sup>410</sup> I am grateful to Professor Moynahan for the suggestion that the Czech context suggests itself as another useful referent.

in an attempt to enforce justice from below. Therefore, moral economy must be considered as a category of analysis on its own. In the attempt to make the subaltern speak, developing their moral economy is an indispensable way of proceeding.

In the Irish context, the development of a moral economy of the Defenders would be an excellent project. It would also be worthwhile to use moral economy to nuance the heretofore nationalism-driven analysis of post-1798 Irish history. Most of Irish historiography focuses on nationalism because nationalists wrote prolifically and therefore left a wealth of historical evidence, but it is harder to ascertain what the masses thought and why they fought or did not. Diarmaid Ferriter's book *A Nation and Not a Rabble* went a considerable way towards rehabilitating the voices of common people during the Irish revolutionary period at the beginning of the twentieth century. It would be interesting to see how far moral economy can be removed temporally from its eighteenth century context. The moral economy of the Irish Republican Army, both during the War of Independence and the Troubles, and its splinter groups could make for fascinating monographs. Taking moral economy further away from its geographic context may also be productive. A moral economy of Pennsylvania's Molly Maguires would be a useful bridge with other, more distant groups, since so many of the Molly Maguires may have been well versed in the moral economy we have already developed by reference to the Whiteboys.<sup>411</sup> Nevertheless, the Molly Maguires found themselves in a fundamentally different location than that of the Whiteboys. Two interesting questions to answer would be to what extent aspects of the Irish peasantry's moral economy crossed the Atlantic with the Molly Maguires, and what was added to their moral economy once in America.

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<sup>411</sup> Kevin Kenny, *Making Sense of the Molly Maguires*, (Cary: Oxford University Press, 1998).

If we are to truly probe the limits of Thompson's moral economy, then we must apply it to even more diverse groups. The Farmer's Holiday Association in Great Depression era America, the Kheda Peasant Satyagraha in India, and the the Zapatista National Liberation Army in Chiapas all were movements with a moral economy which deserves to be reconstructed.<sup>412</sup> One way in which moral economy might reach its limits is with the proliferation of and access to modern methods of communication. We may not need moral economy's assistance to reconstruct the rationale behind Occupy Wall Street or Black Lives Matter thanks to the documentation provided by social media. However, moral economy is essential for refuting the naturalist/spasmodic interpretation of history because it enables us to encounter past movements from below on their own terms.

I am aware that my project's title, *The Wind That Will Shake the Barley* in Irish Gaelic, is suggestive of the naturalist/spasmodic view of popular history spurned by both Guha and Thompson. However, naturalist/spasmodic historiography uses earthquakes, hurricanes, and volcanoes as the metaphors for a movement from below. These cataclysmic phenomena could not be predicted without the use of modern technology; they reflect the perplexity elites felt towards popular protests. The wind is different. Wind is not always devastating or destructive, and its constancy suggests it as a fitting metaphor for moral economy.

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<sup>412</sup> Arthur M. Schlesinger Jr., *The Age of Roosevelt: The Coming of the New Deal*, (Boston: Houghton Mifflin Company, 1959), 42-44. David Arnold, *Gandhi: Profiles in Power*, (Essex: Pearson Education Ltd. 2001) 88-90. Courtney Jung, *The Moral Force of Indigenous Politics: Critical Liberalism and the Zapatistas*, (New York: Cambridge University Press, 2008), 68-76.

## Appendix: Maps

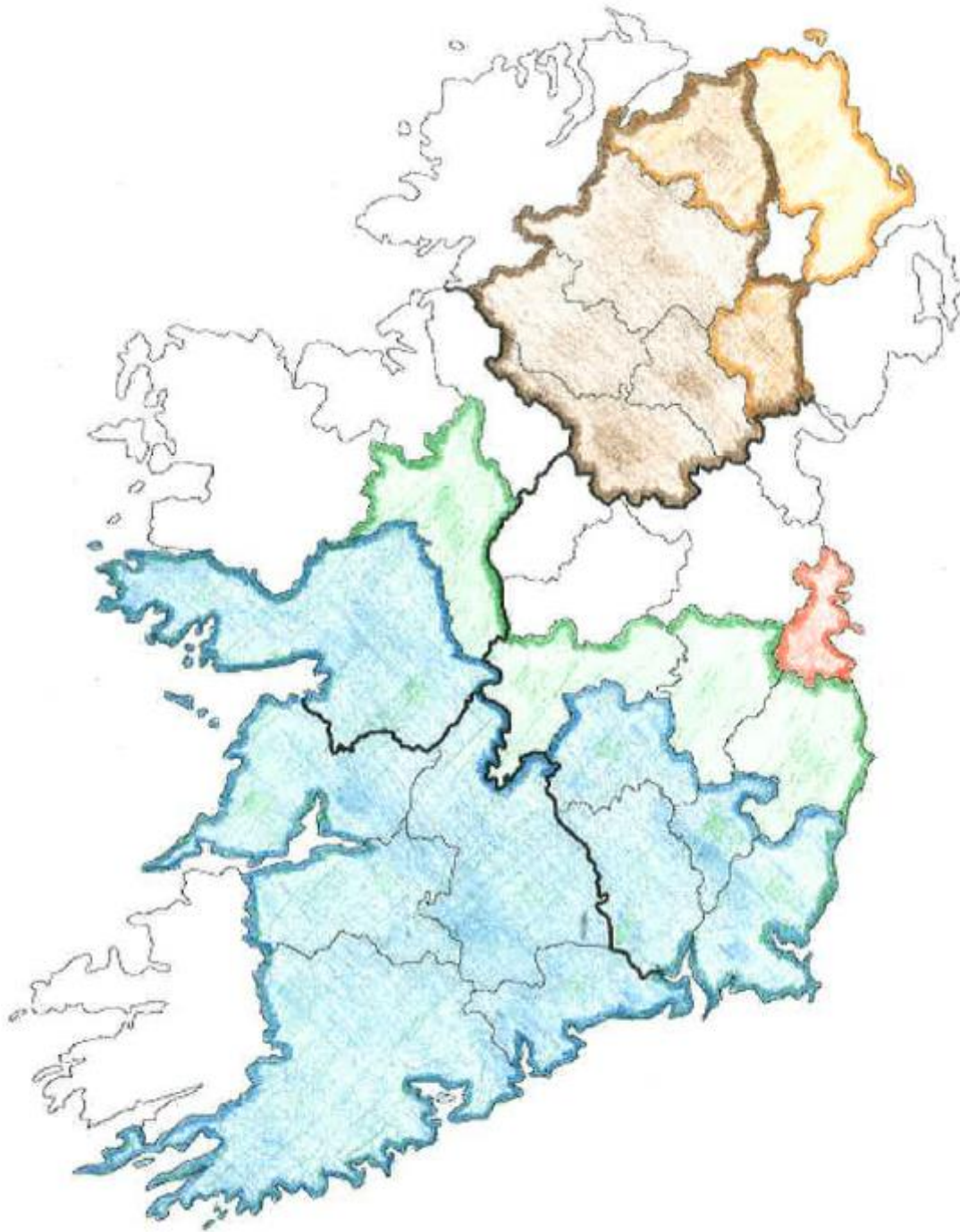
### Ireland in 1728



Major thoroughfares highlighted in green.

From: William Petty. *A geographical description of kingdom of Ireland.*

### Spread of Whiteboyism

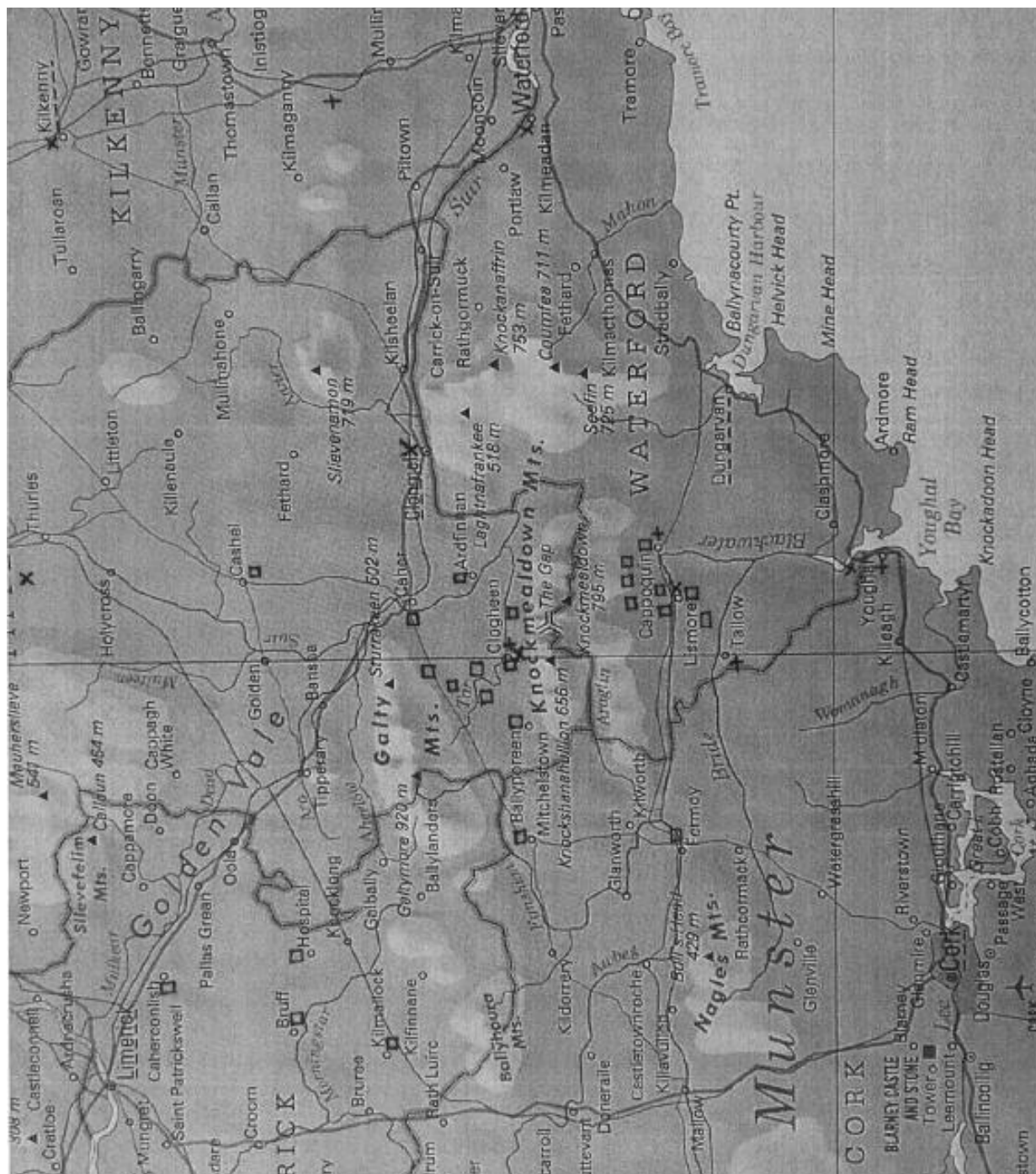


Blue: Whiteboys.  
Green: Rightboys.  
Brown: Oak Boys.  
Orange: Hearts of Steel.  
Red: Liberty Boys.

From:  
[http://www.seomraranga.com/dev/wp-content/uploads/2010/08/ireland\\_map.jpg](http://www.seomraranga.com/dev/wp-content/uploads/2010/08/ireland_map.jpg).



## Important Incidents



- : Levellings.
- + : Executions of Whiteboys.
- X : Battles against Whiteboys.

From: *Hammond World Atlas*. Union: Hammond World Atlas Corporation, 2003.

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